NEW ENGLAND GALAXY.

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THE NEW ENGLAND GALAXY

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DUMONT'S BENTHAM.

TRANSLATED FOR THE NEW ENGLAND GALAXY, BY JOHN NEAL.—WITH NOTES.

CHAP. VI.

Pathological Propositions, upon which is founded the good of Equality.

Pathology is a term used in medicine; it is not in morals, where it is equally wanted. By pathology, I mean the study, or knowledge of the sensations, the affections, the passions and of their effects upon happiness. Legislation, which has been hitherto founded in a great measure, upon the quagmire of prejudices and instinct, ought to be established upon the immoveable base of sensations and experience. (1) We ought to have a moral thermometer, to show the degrees of happiness or unhappiness; a point of unattainable perfection, but which it is well to have before our eyes. I am aware that a scrupulous examination of the more or the less, as a matter of pain or pleasure, may appear trifling at first. It will be said that we are to act upon human affairs, by general laws,(2) and be (on a large scale) contented with a vague approximation. This is the language of indifference or of incapacity. The sensations of men are sufficiently regular to become the object of a science and of an art. And up to that point, all we have is but feeling, groping, irregular and brief efforts. Medicine has for its foundations certain maxims of physical pathology. Morals are the medicine of the soul: Legislation is the practical part of it: it should have for its foundations certain axioms of mental pathology.(3)

To judge of the effect of a portion of wealth upon happiness, we are to consider it under three different views.

1. When it has always been in the hands of the proprietor.
2. When it has just been lost.
3. When it has just been obtained.

General Observation. When we speak of the effect of a portion of wealth upon happiness, we pay no attention to the particular sensibility of the individual, or to the influence of outward circumstances upon his behavior. Differences of character are inscrutable, and the diversity of circumstances such, that they are never the same for any two individuals. If we did not begin by throwing aside these two considerations, it would be impossible to lay down any general proposition. But although, each of the following propositions may be found false or inexact in a particular case, nothing should be concluded against their speculative justice, or against their practical utility. It will be enough for their justification—first: if they come nearer the truth than any other which might be substituted for them: and secondly—if they may serve, with less inconvenience than any others, for a groundwork to the legislator.

I. Let us proceed now to the first case. Let us examine the effect of a portion of wealth which has always been in the hands of the proprietor.

1. *Every portion of wealth has a correspondent portion of happiness.*
2. *Of two individuals with unequal fortune, he who has the most wealth, has the most happiness.*
3. *The excess of happiness in the wealthiest, will not correspond with the excess of wealth.*
4. For the same reasons. *The greater the disproportion between the two masses of wealth, the less probable is it that there exists an equal disproportion between the correspondent masses of happiness.*
5. *The nearer the actual proportion is to equality, the greater will be the total mass of happiness.*(4)

We are not to confine what has been said here of *wealth*, to the condition of those that are called *wealthy*. The word has a more extended signification. It includes whatever serves for subsistence, as well as for abundance. It is for brevity, that *portion of wealth* has been used, instead of *portion of the matter of wealth*.

We have said that for *every portion of wealth*, one has *a certain portion of happiness* To speak with more exactness, we should say, *a certain chance of happiness*.—For the efficacy of a cause of happiness is always precarious; or, in other words, a cause of happiness has not its ordinary effect, nor the same effect upon everybody. It is here that we may apply what has been said of their peculiar sensibility, of their character, and of the variety of circumstances, in which they are placed.

The second proposition flows from the first. *Between two individuals, he who has the most wealth, has the most happiness* or *the chance of happiness*. This is a matter of *fact*, the proof of which is within the experience of every body. I appeal to the first who denies it. Let him give what he has of superfluity to the first one who begs it of him: for this superfluity according to his system, is but earth in his hand; it is a burden, and nothing more. The manna of the desert grew corrupt when they gathered more than was wanted for consumption.—If wealth also, after a certain point, were of no value to happiness, nobody would toil for it, and the desire of accumulation would have known limits.

The third proposition will be less disputed. Place here a thousand peasantry, each having enough to live upon, and even a little of abundance. Place there a king, or deducting the cares of government, a prince well provided for, and as rich as all the peasants together. It is probable, I say, that his happiness is greater than the average happiness of each of them; but not equal to the sum total of all their little masses of happiness, or what amounts to the same thing, I say, that his happiness will not be a thousand times greater than the average happiness of any of them. If the mass of his happiness were ten times, or even five times greater, it would be still much. The man who is born in the bosom of opulence, is not so sensitive as he who is the maker of his own fortune. *It is the pleasure of acquiring, and not the satisfaction of possessing, which produces the greatest enjoyment.*(5)

The first is a lively feeling, sharpened by desire and by anterior privation, which yearns after unknown good; the other is a feeble sentiment, worn out by use, which being unaided by perpetual contrast, borrows nothing from the imagination.

II. Let us proceed to the second case: let us examine the effect of a portion of wealth, which comes, for the first time into the hands of a new proprietor. Observe that we do not meddle with *expectation* here; we are to suppose the augmentation of fortune to arrive unexpectedly, as a matter of chance.

1. Prop. *By subdivision, a given quantity of wealth may be so diminished as to produce no happiness to any one of the copartners.* This would happen, strictly speaking, where the portion of each would be less than the value of the smallest known coin. But we need not proceed so far, to show the truth of the proposition.

2. *Among copartners of equal fortune, the more undisturbed a distribution of wealth leaves that equality, the greater will be the total amount of happiness.*

3. *Among copartners of unequal fortune, the more a distribution contributes to produce equality, the greater will be the total amount of happiness.*

III. Let us now take up the third case. We are to examine the effect of a portion of wealth which passes away from the proprietor. And here also we are to leave out expectation, and suppose the loss unexpected; and a loss is almost always so, as every man expects naturally to keep what he has. This expectation is founded upon the ordinary course of things; for if we take all mankind together, we perceive that they not only keep what they have, but keep on adding thereto. The proof is in the difference between the original poverty of every community, and their present wealth.

1. Prop. *The loss of a portion of wealth will produce in the total happiness of each individual a diminution greater or less in that proportion which the part taken away, bears to the part remaining.*

Take away one quarter part of his fortune, you take away one quarter part of his happiness, and so forth. (6)

But there are cases where the proportion would be no longer the same. If in taking three fourths of my fortune, you encroach upon my physical necessities, and in taking away the half, you leave my necessities untouched, the diminution of happiness will not be simply the half, but the double, the quadruple, the tenfold: we know not where to stop.

2 Prop. *Among equal fortunes, the greater the number of persons among whom a given loss is distributed, the less considerable is the diminution to the sum total of happiness.*

3 Prop. *After a certain point, by these subdivisions, the quotas become impalpable, the diminution of the sum-total of happiness is nothing.*

4 Prop. *Among unequal fortunes, the diminution of happiness, produced by a diminution of wealth, would be so much the less, the more equal the distribution of loss.* (Leaving out of consideration the inconveniences attached to the violation of security.)

Governments, profiting by the diffusion of intelligence, have in many ways favored the principle of Equality in the subdivision of loss. With this view, they have put under the protection of the law, insurance offices,—those useful establishments, where individuals club together beforehand to provide for every possible loss. The *principles* of assurance founded upon a calculation of probabilities, is but the *art* of distributing losses among so great a number of partners, as to render them very light and almost nothing.

The same view has influenced princes, when they have indemnified out of the public treasury such of their subjects as have suffered either by public calamities, or by the devastations of war. Nothing could have been wiser, or better managed in that particular than the administration of the Great Frederic. It is one of the finest points of view for the contemplation of the Social-System.(7)

Many attempts have been made to indemnify individuals for the depredation of malefactors. Examples of this kind are yet more rare. It is an object which deserves the attention of the legislator, for it would be the means of reducing the evils of the offences which regard property to almost nothing. But this system ought to be modified with great care, else it may become hurtful. We are not to favor indolence and imprudence, which would neglect precautions against offences, in the certainty of being indemnified; and we are to be yet more on our guard against fraud. Secret contrivances which would suppose crimes, or give birth to them for the very purpose of obtaining fictitious indemnity. The utility of this remedy will depend upon the manner in which it is administered. But nothing short of a culpable indifference would reject a means so salutary for sparing pain, by separating it from its inconveniences.(8)

The principles that we have laid down, would also serve to regulate the distribution of a loss among many persons charged with a common responsibility. If their respective contributions followed the respective amount of their fortunes, their relative condition would be the same as before; but if we would take advantage of their situation, to bring them nearer upon a footing of equality, we must adopt a different proportion. To tax them all *equally*, without regard to the difference in their fortunes would be a third plan, consistent neither with Equality nor with Safety.

To render this subject perfectly clear, I will suppose a case, where a decision is to be made between two individuals where one demands a profit at the expense of the other. We are to determine the effect of a portion of wealth which while it passes into the hand of one individual in the shape of gain, passes out of the hands of another, in the shape of loss.

1 Prop: *Between competitors of equal fortune, that which may be gained by one without being lost by the other, that disposition which would leave the greatest sum of happiness, would be that which should favor the defendant to the exclusion of the plaintiff or claimant.* (10.)

For, 1. The sum to be lost, having a greater relation to the reduced fortune, than the same sum has to the augmented fortune, the diminution of happiness for the one is greater, than would be the augmented happiness for the other. In a word, Equality would be violated by a contrary disposition. (See the note upon play: the situations are exactly similar.)

2. The losing party would experience a pain of disappointment (expectation deceived) the other is simply in the position of not gaining. But the negative evil of not acquiring, is not equal to the positive evil of losing. If it were otherwise, every man experiencing this evil for what he does not acquire, the causes of unhappiness being infinite, man should be infinitely unhappy.

3. Man in general, appears more sensible to pain than to pleasure: even where the cause may be equal; and this to such a degree that a loss which would diminish a fourth part of his fortune would take more from his happiness, than would be added to it perhaps, by a gain which doubled his fortune.(11)

2 Prop. *Of equal fortunes, if the loser were the least rich, the evil of the loss would be aggravated by that inequality.*

3 Prop. *If the loser were the richest, the evil done by the assault upon safety, would be compensated in part by a good, proportioned to the progress made toward equality.*

By the help of these axioms which have, up to a certain point, the character and the certainty of mathematical propositions, we might be able at last to propose a regular system of indemnities and satisfactions. Legislators have shown often enough a disposition to follow the counsels of *Equality*, under the name of *Equity*, to which more latitude is given than to that *of justice*: but this vague and ill-developed idea of Equity has appeared to us more a matter of instinct than of calculation. It is only by great patience and method that rigorous propositions are to be deduced from an incoherent multitude of confused opinions.(12)

NOTES.

(1.) All these flourishes are French—and the French of M. Dumont. Jeremy Bentham never employed them, nor understood them. N.

(2.) *Agir en gros.*

(3.) No part of the contrivances of this extraordinary man have exposed him to so much ridicule and misrepresentation, as this particular scheme for measuring *pleasure and pain by degrees*. Yet De Piles had applied it before to the Fine-Arts, in measuring the comparative merits of painters, and it has been applied since, with every prospect of advantage, to measuring *evidence*. N.

(4.) Are not these like the Demonstrations of Euclid, or the sublime truths of Newton's Principia?—With this addition, however, that these are either self-evident, or so clear that he who runs may read. Hence our whole groundwork of Equality; and hence the perfect superstructure. N.

(5.) Let the reader weigh this, and then follow out the proof. N.

(6.) Query?—proportions not being always the same between wealth and happiness, according to our author, how can this be? N.

It is to this head that the evil of high play should be referred. Though the chances in regard to the money are equal, the chances in regard to happiness are always unfavorable. I have 1000 pounds. The stake is 500. If I lose, my fortune is reduced one half; if I gain, it is augmented but one third(?) Suppose the stake to be for 1000 pounds. If I gain, my happiness is not doubled with my fortune; if I lose, my happiness is destroyed, I am in penury. D.

[illegible] in the original French, instead of paying [illegible] per cent, which by this mode of computation would make the loss and gain equal. It reminds me of the language used by the late Mr Huskisson of England, who was followed by Sir Robert Peel, in the same error, when speaking of certain measures towards the [illegible] both agreed that under all circumstances, the goods in question could be afforded 150 per cent. lower; that's fifty per cent less than nothing. N.

(7) But if it came to be understood that the public treasury indemnifies individuals; as a matter of course, in these cases, there would be no end to all distinction between public and private property. *All* property of the country would be *public*. N.

(8) It would be in fact the establishment of a new sort of Police. All being interested, all would give pledges for their own good behavior, and almost for that of their neighbors. Hence the utility of our town-watches and Mutual-Assurance Companies. Hence the advantage of holding the neighborhood, parish, or hundred answerable for a robbery in England. All are upon their good behavior—all interested in the good faith of the neighborhood. A proposition of this nature, arising out of a late [illegible], has been before the Legislature of Massachusetts; and the subject is beginning to be discussed. N.

(9) Yet such is the uniform course of taxation. [illegible] pay no more [illegible] towards the maintenance of the Commonwealth. In the Federal Government a distinction is made, but avowedly for another purpose: to prevent smuggling in the case of jewelry, watches, &c. &c. But in the State Governments, no exceptions occur. N.

(10) Perhaps it should be just the reverse at law; so at any rate argues Mr B. himself in another place; for, says he, it is to be presumed that (in England) a man will not go to law against another, if he can help it. *The defendant having no choice*, an allowance should be made for his going to law. N.

(11) It does not follow that the sum of evil exceeds the sum of good; not only is evil more rare—but it is accidental; it does not flow, like the good, from constant and necessary causes; and up to a certain point, it is in our power to put away evil and to attract good. Thus hope and confidence prevail over fear in human nature. We see this by the success of lotteries. D.

Tooth-ache is a pain—not to have the tooth-ache and to be able to enjoy with our teeth are every-day pleasures.—We repine at the exceptions. So with hunger—yet who would live and die without an appetite? N.

(12) There is but one treatise on earth giving a readable and satisfactory account of Chancery or Equity Power, and that is to be found at the fag-end of a Connecticut law book, and was prepared by Judge Reeves. To the non-lawyer it is invaluable; and even to the lawyer everywhere but among Chancery practitioners. N.

MISCELLANY.

THE COMPLAINT OF THE VIOLETS.*

BY E. L. BULWER.

By the silent foot of the shadowy hill
We slept in our green retreats,
And the April showers were wont to fill
Our hearts with sweets;

And though we lay in a lowly bower,
Yet all things loved us well,
And the waking bee left its fairest flower
With us to dwell.

But the warm May came in his pride to woo
The wealth of our virgin store,
And our hearts just felt his breath—and knew
Their sweet hearts no more!

And the summer reigns on the quiet spot
Where we dwelt—and its suns and showers
Bring balm to our sisters' hearts—but not
Oh! not—to ours!

We live—we bloom—but for ever o'er
Is the charm of the earth and sky—
To our life, ye heavens, that balm restore—
Or—bid us die!

*Which lose their scent in May.

[From the Portland Advertiser.]

Since I came out in print about my sleigh riding and frolicking and courting, I have entered into the matrimonial state, and left off dabbling in the newspapers. For a married man has a character to take care of. But folks tease and torment me so much, to let 'em know the particulars about my marriage, that I dont know but I had as good's set down, once for all and tell the rest of my experience.

CHAPTER III.

THE MARRIAGE OF MISTER JOHN BEEDLE.

When I left off my second Chapter, I believe I was spunking up to Sally Jones like all vengeance, and threatening to give her the butt end of my sentiments; was'nt I? Well, I was as good as my word. The next Sabbaday, I went right to work, after meeting, upon the outer man, as Deacon Carpenter says, and by sundown, things looked about right. I say nothing; but when I stood up to the glass, to finish, and sort of titivate the hair and whiskers and so forth,—I saw a little fellow there that looked wicked. And says I, if Sally Jones knows which side her bread is buttered——But no matter; she shan't say I didn't give her a chance.

Well, I went over to the Squire's pretty well satisfied in my mind; so after flattering and crowing about her, a little while, I up and shew the cloven foot.—'Sally,' said I, 'will you take me for better or worser?'

This put her to considering; and I gave a flourish about the room, and cut a curley-cue, with my right foot. As much as to say,—take your time.

At last, says she, 'I'd as liv's have you as any body in the world John, but—I declare—I can't.'

'You can't ha; and why?'

'Cause.'

'Cause what?'

'Cause I cant,—and that's enough. I would in a minute, John, but for only one reason;—and that I am afeard to tell ye.'

'Poh, poh,' says I, 'dont be bashful; if there's only one stump in the way, I guess here's a fellow——'

'Well, then, look tother way, John, I can't speak if you look at me.'

'O yes—there, now's your time says I with a flirt.'

'The reason is—Joe Bowers the stage-driver.—Now, you shan't tell nobody, John, will ye?'

Who would have thought this of Sally Jones!

It seemed to me the very old Boy had got into the women. They fairly put me to the stumpinch. All this time, my popularity with the ladies was amazing. To see their flattering and soft soaping me all over, you would have swore I had nothing to do but to pick and choose. I had as much gallanting to do as I wanted, every where: and for politeness and gentility I never turned my back to no man. Then, they were so thick and familiar with me, that they did'nt care what they said or did before me: and finally, whenever they had any errands or chores to do—who but I was the favorite bird to fetch and carry? I was forever and ever racing and scampering from post to pillar, to do their biddings. Rain or shine, snow or mud; nothing stopped me: and I may say, I fairly earned their smiles by the sweat of my brow. Then it was, 'O Mr. Beedle! What should we do without Mr. Beedle?' But when I caught one alone, and began to touch on the matrimonial sentiments, then how quick the tune was changed! O the ways of the women are curious.

Patty Bean was not the first that I run against by a long shot. I never lost any thing for want of asking; and I was plaguy apt to begin in talk [illegible], always when I got sociable, if it was only out of politeness. Now and then one would promise, and then fly off at the handle; but most all contrived some reason or other for giving me the bag to hold. One had taken a firm resolve never to marry——no, never, never! and the next Sunday [illegible] she was published.—Another chicken thought she was a great deal too young to [illegible]. At last I took a great shine to the [illegible], though she was [illegible] years older than I, and taller by half a yard of neck; and when I offered her heart and hand, she fixed up her mouth, and says she 'I've a great respect and esteem for you, Mr. Beedle, but——' and so forth. Nothing will cool a man down quicker than 'respect and esteem:' it is a wet blanket. But let Hannah alone;—she had her eye upon Deacon Carpenter all the time.

Well, as I was going moping along home, from Squire Jones', I fell in with Doctor Dingley. The Doctor saw, in a minute, that something was the matter, and he went to work and pumped the whole secret out of me. [illegible] then I opened and told him all my [illegible] from beginning to end.

'Well John,' says he, 'I advise you now, to wait till the [illegible] of February, when the [illegible] It's none of my business, but, if I [illegible]

Well, I took a resolution, and stuck to it firm, for [illegible]

[illegible] of my character, I am just like a mountain. I [illegible] all along pretty well into January, when I had [illegible] singing school. I used to go to singing school, for I [illegible] in the table, and there was no carrying on [illegible]. But this was nothing, if it had'nt fell [illegible] to go home with Hannah Peabody, four times [illegible] before every thing. Well, she kept [illegible] prettier and prettier every time, but I only grit [illegible] hold on the harder.

By [illegible] Sabbath night came round, and I felt sort of [illegible] about home; and says I, this [illegible] upon my stomach without air and exercise; and before I was done thinking of this, I was more [illegible] way to Captain Peabody's. It was about daylight down, as I was passing by the kitchen; but hearing [illegible] sort of [illegible], I slipped up and peeked into the window, just out of curiosity.

There was no candle burning—for Mrs. Peabody is savy [illegible] I could see Hannah and Pol Partridge [illegible] in the ashes, by firelight. I [illegible] to go off, and run right agin Jack Robinson [illegible] come to set up with the help, and would insist [illegible] go in and see Hannah. 'She has'nt had [illegible],' says he, 'and in you shall go, or I'll [illegible]'

Well, there was no dodging here, and all I had to do [illegible]. So in I went; and [illegible]. The short and the long of it is, I was [illegible] as I had been in the mire. But I [illegible] another guess chap than Sally Jones to deal with, [illegible]. And here was the difference between them. Where [illegible] get a slap in the chops from Sal,—Hannah kept ye [illegible] with a stool and a curl up of the nose. And Madam would'nt bear handling. With her, it was "Talk is talk, but hands off, Mister."

But I rather guess I had cut my eye teeth by this time. If I hadn't learnt something about the nature of women, the kicks I had taken from all quarters fell upon barren ground. There is no way of dealing with them but to coax and flatter; you gain nothing, let me tell ye, by saving of soft soap; and you must be sly about it. It is no way to catch a wicked devil of a colt, in a pasture, to march right up, bridle in hand; you must sort of sidle along as if you was going past, and whistle, and pretend to be looking 'tother way; and so, round and round, till at last, you corner him up; then jump and clinch him by the forelock. O, I'm not so great a fool as I might be.

But it was a long tedious business, before Hannah and I could come to any sort of an understanding. There was old Captain Peabody was a stump in my way. He was a man who had no regard for politeness; he travelled rough shod, through the town, carrying a high head and a stiff upper lip, as much as to say, "I owes nobody nothing, by ——." He had been a skipper and sailed his schooner all along shore, till he got forehanded, then went back up country, and set down farming. But I never knuckle to no man if he's as big as all out doors. And after he poked his fist in my face, one 'lection we never hitched horses together.

Well, as I was afraid to go to the house, and court Hannah in the regular way, I had to carry on the war just when and where I could; sometimes of a dark night, I could steal into the kitchen. But my safest plan was, to track her to the neighbors' houses, where she went to spend evenings; skulk about till she started home, then waylay her on the road. Pretty poor chance this, you'll say. But as if this wasn't enough, Hannah herself must join in to plague me half to death.

Ye see, I wanted to let her know what I was arter in a sort of a delicate underhand way, and keep myself on the safe side of the fence, all the time, if there was to be any kicking. But Hannah had no notion of riddles: she would not understand any thing short of plain English. I hinted plaguy suspicious about 'true love' and 'Cupid's darts' and all that. Then I would heave a long sythe and say 'what does *that* mean Hannah?' But no; she could'nt see, poor soul; she looked as simple and innocent all the while, as if butter would'nt melt in her mouth.

She was plaguy close, too, as to her goings and comings; and if she happened any time by accident, to let drop the least word, that show'd me where to find her next time, she was so mad with herself that she was ready to bite her tongue off.

One day she was going to her Aunt Molly's to spend the evening and she went all the way round to Doctor Dingley to tell Mrs. Dingley not to tell me. 'For' says she, 'I don't want him to be dogging me about every where.'—Well, Mrs. Dingley, she promised to keep dark, but she told the Doctor, and what does the Doctor do, but comes [illegible] none of my business.'

This is the day that I have marked with a piece of chalk. Hardly was daylight down, before I was snug in my skulking nest, in Aunt Molly's barn. It was on the hay-mow, where there was a knot hole handy, to look through and see all that went in or out of the house. I had a scheme in my head that Hannah little dreamt of; and I lay and thought it over, till she came out; and when I get her under my arm and walking down the lane, thinks I, I'll set the stone a rolling any how, let it stop where it will.

So I set in to talking about this and that and t'other thing, and happened (by *mere chance* ye know) to mention our old Hatter Shop, that stands at the corner, that my father used to work in, when he was alive. And says I, speaking of the old shop, it always puts me in mind of you Hannah.'

'Of me, John?' says she—'why?'

'O, it's just the thing for a *store*,' says I.

'Well—'

'Sweep out the dirt, and old hat pairings and truck—'

'Well—'

'Take the sign, rub out 'Hatter' and put in 'Merchant' and that spells 'John Beedle, Merchant'—'

'Well, John—'

'Then get rum, and molasses, and salt fish, and ribbons and calicoes—'

'O,' says she, 'it's my new calico gown you was a thinking of—isn't it pretty?'

'O!' says I, ''tis a sweet pretty gownd,' says I. 'But ——the upshot of the matter is, Hannah,——I have finally concluded to set up store and *get married*, and settle myself down as a merchant for life—'

At this, Hannah hung down her head and gave a snicker. 'And how does that put you in mind of me, John?' says she.

'Guess.'

'I won't guess, nor touch to so there, now—I never—!'

What I said and what she said, next, is all lost, for I'll be shot if I can remember. It is all buz, buz in my head, like a dream. The first thing I knew, we were right agin Capt Peabody's barn, walking as close together as we could with comfort, and our arms round each other's waist. Hannah's tongue had got thaw'd out, and was running like a brook in a freshet, and all one steady stream of honey. I vow, I was ready to jump out of my skin!

It was a mile and a half good, from Aunt Molly's to Capt Peabody's, and I thought we had been about a minute on the road. So says I, 'Hannah, let's go set down under the great apple tree and have a little chat, just to taper off the evening.' We now sat down and began to talk sensible. We settled all the predicaments of the nuptial ceremony, and then talked over the Store, till we thought we were ourselves behind the counter; I weighing and measuring and dickering and dealing out, and she, at the desk, pen in hand, figuring up the accounts. 'And mind John,' says she, 'I'm not a going to trust everybody at the corner I tell ye.' But just as we were beginning to get sociable, as I thought, Hannah looks up, and says she, 'what can that are great red streak be, in the sky, away down there beyond Saccarap?' 'I rather guess,' says I, 'it is a fire in the woods.' 'Fire in the woods! I'll be skinned if it isn't daylight a coming. Quick, John, help me into the window, before father is a stirring or here'll be a pretty how d'ye do.'

The next job was to tell the news to Captain Peabody. Hannah had settled it that she should speak to her mother, and said she could manage *her* well enough, and it was my business to ask her father. This was a thing easier said than done. It stuck in my crop for days, like a raw onion. I tried to persuade Hannah to marry first and ask afterwards. Says I, you are twenty-one, and free, according to law. But she wouldn't hear of it. She had no notion of doing any thing clandestinely. Then I asked Dr Dingley to go and break the ice for me. But no: he would not meddle with other folks business—he made it a point.

Well, says I, if I have got to come to the scratch, the sooner I consider on it the better. So, one stormy day, I put my head down against a Northeaster, and set my foot agoing, and the next thing, I was standing right before Capt Peabody. He was in his grain-house shelling corn; sitting on a tub, with an old frying-pan stuck through the handle. And he made the cobs fly every which way, his [illegible] he didn't care. But it tickled him so to see me [illegible] that he got into uncommon good humor.

'Well, Johnny Beedle, what has brought you up here, right into the wind's eye this morning?'

'Why, Cap'n, I have got an idea in my head.'

'Ho! How you talk!'

'Ye see—the upshot of the matter is, I've a notion of setting up store, and getting a wife, and settling myself down as a merchant.'

'Whorah, John, there's two ideas! a store and a wife.'

'But I want a little of your help,' says I.

'Well, John, says he, 'I'll do the handsome thing by ye. If you keep better goods than any body else, and sell cheaper, you shall have my custom, and welcome—provided you'll [illegible] Isn't that fair?'

'O yes, Cap'n.'

'And I wish you success in the other task. No fear of [illegible] I'll warrant. There's lots of silly gals about, and [illegible] gentleman as you are, can run [illegible] down in no time.'

'O yes, Cap'n. I have run down Hannah, already.'

'My Hannah?' [illegible]

'O yes, Cap'n; we have agreed, and only want your consent.'

With this, the old Captain riz right up an end, upset tub and frying-pan, and pointed, with a great red ear of corn in his hand, towards the door without saying a word. But his eyes rolled like all creation!

This raised my blood, and I felt so stuffy that I marched right straight off, and never turned my head to the right or left, till I was fairly home and housed.

Well, now, says I, my apple cart is upset in good earnest. And when I went to Dr Dingley for comfort, says he, 'John. I wash my hands of this whole affair, from begining to end. I must support my character. I am a settled Doctor in the town; and the character of a Doctor, John, is too delicate a flower to go poking round and dabbling into every body's mess. Then says he, Mrs Dingley, I warn you not to meddle nor make in this business. Let every body skin their own eels.' 'Hold your tongue you fool you, says she—did ye ever hear of me burning my fingers?'

Howsomever, there was underhand work carried on, somewhere and by somebody. I dont tell tales out of school. I had no hand in it, till one day, Dr Dingley, says he, 'John if you happen to be wanting my horse and shay, this afternoon, about three o'clock, go and take it. I never refuse to lend, you know. And I hope Capt Peabody will gain his lawsuit with Deacon Carpenter, that he has gone down to Portland to see to. But that's none of my business.'

Somebody, too—I dont say who—told me about one certain Squire Darling, living in a certain town, about ten miles off, that did business and asked no questions. Well, in this said town, just after sundown, a young man named Joseph Morey was walking near the Meetenhouse, with a sort of a cream colored book under his arm, and he heard something in the woods, this side, that, if it wasn't a Harrycane, he'd give up guessing. Such a crackling and squeaking and rattling—such a thrashing and grunting and snorting! you never! He stopped and looked back, and all soon came to light. There was an old white faced horse came scrabbling along out of the woods, reekinging and foaming, with an old wooden top shay at his tail, and a chap about my size flourishing a small bean pole pretty well broomed up at the end. And says I, 'Mister, can ye tell me where one Squire Darling lives?'

'Which Squire Darling;' says he, 'there's two of the name.'

'His name is John,' says I.

'Faith, says he, they are both Johns too, but one is a lawyer and tother a cooper.'

'O then, it must be the lawyer I want, says I.'

With this, the young man gave a squint at Hannah and a wink at me; and 'come along, says he, I am going right there now, and I'll shew ye the Squire, and fix things for ye.'

'Hannah, says I, this is lucky.'

Well he carried us into a small one story house, a little further on, full of books and papers and dust; and smelling strong of old dead tobacco smoke. Here we sat down while he went about our business. We waited and waited till long after dark, and were glad enough to see him come back at last with a candle' 'The Squire is very sick, says he, but I have over persuaded him.' And the next minute the Squire came grunting along in, all muffled up in a great coat and spectacles on, and a great tall woman with him to witness for the bride.

Well, he went to work and married us, and followed up with a right down sensible sermon, about 'multiplying and increasing on the earth'—and I never felt so solemn and serious. Then followed kissing the bride all round; then the certificates, and then I gave him two silver dollars, and we got into the shay again and off.

After this, nothing happened to speak of, for about a month. Every thing was kept snug, and Capt Peabody had no suspicions. But one morning, at break of day, as I was creeping softly down Capt Peabody's back stairs, with my shoes in my hand as usual, I trod into a tub of water, standing on the third step from the bottom, and down I came slam bang. The Capt was going to kill his hogs, and had got up betimes, put his water on to heat, and was whetting his butcher knife in the kitchen.

The first thing I saw, when I looked up, there stood Capt Peabody, with a great butcher knife in his hand, looking down upon me like a thunder cloud! I want to know if I didn't feel streaked! He clinched me by the collar and stood me up, and then raised his knife over me as high as he could reach. I thought my last minute was come. Blood would have been shed, as sure as rates, if it hadn't been for Mrs Peabody. She stepped up behind and laid hold of his arm; and says she,—'it's no matter, Mr Peabody, they are married.'

'Married to that puppy!' roared the Capt.

'Yes sir,' says I, 'and here's the certificate.' And I pulled it out of my jacket pocket and gave it to him. But I didn't stay for any more ceremony; as soon as I felt his gripe loosen a little, I slid off like an eel, and backed out doors,—and made tracks home about as fast as I could leg it. But there was to be no peace for me this day. I was in a constant worry and stew all the forenoon, for fear the Captain would do something rash, and I could neither sit nor stand still, eat, drink or think.

About the middle of the afternoon, Dr Dingley came bouncing in, out of breath, and says he—'John you have been cheated and bamboozled. Your marriage ain't worth that. It was all a contrivance of Jack Darling the Lawyer, and his two imps, Joe Morey and Peter Scamp.' This was all he could say till he had wiped his face and taken a swig of cider to recover his wind: and then he gave me the particulars.

When Capt Peabody had read my certificate, he could not rest; but tackled up and drove right down to let off his fury upon his old friend, Squire Darling. The moment he got sight of the squire, he turned to, and called him all the foul names, he could lay his tongue to, for half an hour. The Squire denied every thing. The Captain downed the certificates, and says he, 'there's black and white against ye, you bloody old sculpen.'

The Squire knew the hand write was his nephew's as soon as he saw it, and the truth was brought to light. But, as the storm fell in one quarter, it rose from the other.—Squire Darling had smelt tar in his day and hadn't forgot how to box the compass; and as soon as the saddle was on the right horse, he set in and giv the Captain his own back agin; and let him have it about Nor-Nor-West, right in his teeth, till he was fairly blown out. They shook hands then, and seeing Hannah and I had got under weigh together they said we must go the vige, and no time must be lost in making all fast in the lashings, with a good fine square knot before change of weather. So the Squire slicked up a little, got into the shay and came home with the Captain, to hold the wedding that very night.

How Dr Dingley happened to be in town, just at the nick of time, I don't know. It was his luck; and as soon as he saw which way the wind was, he licked up and cantered home in a hurry. After he had got through with the particulars, says he, 'now Mr Beedle, its none of my business, but if I had such a hitch upon Capt Peabody, I would hang back, like a stone drag, till he agreed to back my note for two hundred dollars in the Portland Bank, to buy goods with, enough to set you up in the store.

I thought strong upon this idea, as I was going over to Capt Peabody's. But the moment I shew the least symptoms of backing, such a storm was raised as never was seen. Father and mother in law and Squire Darling, set up such a yell all together, and poor Hannah, she sat down and cried. My heart failed me, and I made haste to give in and plead sorry, as quick as possible; and somehow in my hurry, I let out that Dr Dingley had set me on; and so was the innocent cause of his getting a most righteous licking the first time Capt Peabody caught him. It wasn't settled short of thirty dollars.

Well, Squire Darling stood us up and married us about right; and there was an end of trouble. Mother in law would not part with Hannah, and she made father in law give us a setting out, in the north end of his house. He could not stomach me very well for awhile; but I have managed to get on the blind side of him. I turned right in to work on his farm, as steady and industrious as a cart-horse. And I kept on pleasing him in one way and another, more and more, till he has taken such a liking to me, that he wouldn't part with me for a cow. He owns that I save him the hire of a help, out and out, the year round.

There—now I have done. I can't patronize the newspapers any more. I have enough to do that is more profitable at home. Between hard work in the fields, and chores about house and barn and hog-pen, I can't call a minute my own, summer nor winter. And just so certain as my wife sees me come in and set down to take a little comfort, just so certain is she to come right up, and give me the baby to hold.

LOVE UP A CHIMNEY.

The London Monthly Magazine for January contains a humorous article, entitled 'Passages in the Life of Mr Watkins Tottle.' We quote the following, relating to Gabriel Parson's Courtship and Marriage, with the account of which Parsons is entertaining his old friend Tottle, a crusty old Bachelor:

'Well, we made love in the usual way, you know. Fanny expressed herself very [illegible]—hinted at the possibility of an early grave—said that nothing should induce her to swerve from the duty she owed her parents; and implored me to forget her and find out somebody more deserving, and all that sort of thing. She said she could on no account think of meeting me unknown to pa and ma; and entreated me, as she should be in a part of Kensington Gardens at eleven o'clock next morning, not to attempt to meet her there.'

'You didn't go of course?' said Watkins Tottle. 'Didn't I? Of course I did. There she was, with the identical housemaid in perspective, in order that there might be no interruption. We walked about for a couple of hours—made ourselves delightfully miserable, and were regularly engaged. Then we began to 'correspond'; that is to say, we used to exchange about four letters a day. What we used to say in 'em I can't imagine. And I used to have an interview in the kitchen, or in the cellar, or some such place, every evening. Well, things went on in this way for some time; and we got fonder of each other every day. At last, as our love was raised to such a pitch, and as my salary had been raised shortly before, we determined on a secret marriage. Fanny arranged to sleep at a friend's the night before; we were to be married early in the morning, and then we were to return to her home and be pathetic.—She was to fall at the old gentleman's feet and bathe his boots in tears; and I was to hug the old lady and call her 'mother,' and use my pocket handkerchief as much as possible. Married we were the next morning; two girls—friends of Fanny—acted as bride's maids; and a man, who was hired for five shillings and a pint of porter, officiated as father. Now, the old lady unfortunately put off her return from Ramsgate, where she had been paying a visit, until the next morning; and as we placed great reliance upon her, we agreed to postpone the confession for four and twenty hours. My newly made wife returned home, and I spent my wedding-day in strolling about Hampstead heath, and d—ing my father-in-law. Of course I went to comfort my dear little wife at night as much as I could, with the assurance that our troubles would soon be over. I opened the garden gate, of which I had a key, and was shown by the servant to our old place of meeting—a back kitchen, with a stone floor, and a dresser, upon which, in the [illegible], we used to sit and make love.'

'Make love on a kitchen dresser!' interrupted Mr Watkins Tottle, whose ideas of decorum were greatly outraged.

'Ah!—on a kitchen dresser,' replied Parsons, 'And let me tell you, old fellow, that if you were really over head and ears in love, and had no other place to make love in, you'd be devilish glad to avail yourself of such an opportunity. However, let me see—where was I?'

'On the dresser,' suggested Timson.

'Oh—ah! Well, here I found poor Fanny, quite disconsolate and uncomfortable. The old boy had been very cross all day, which made her feel still more lonely; and she was quite out of spirits. So I put a good face upon the matter, and laughed it off, and said we should enjoy the pleasures of a matrimonial life more by contrast, and at length poor Fanny brightened up a little. I stopped there till about eleven o'clock: and just as I was taking my leave for the fourteenth time, the girl came running down stairs, without her shoes, in a great fright, to tell us that the old villian—God forgive me for calling him so! for he's dead and gone now—prompted I suppose by the prince of darkness, was coming down to draw his own beer for supper—a thing he had not done before for six months, to my certain knowledge; for the cask stood in that very back kitchen. If he had discovered me there, explanation would have been out of the question; for he was so outrageously violent, when at all excited, that he never would have listened to me.

There was only one thing to be done. The chimney was a very wide one it had been originally built for an oven; went up perpendicularly for a few feet, and then shot backward, and formed a sort of small cavern. My hopes and fortunes—the means of our joint existence almost were at stake. I scrambled in like a squirrel; coiled myself up in this recess place, and, as Fanny and the girl replaced the deal chimney board, I could see the light of the candle which my unconscious father-in-law carried in his hand. I heard him draw the beer—and I never heard beer run so slowly. He was just leaving the kitchen, and I was preparing to descend, when down came the infernal chimney-board with a tremendous crash. He stopped, and put down the candle and the jug of beer on the dresser; he was a nervous old fellow, and any unexpected noise annoyed him. He coolly observed that the fire place was never used, and sending the frightened servant into the next kitchen for a hammer and nails, actually nailed up the board, and locked the door on the outside. So there was I, on my wedding night, in the light kerseymere trousers, fancy waistcoat, and blue coat that I had been married in, in the morning, in a back kitchen chimney, the bottom of which was nailed up, and the top of which had been formerly raised some fifteen feet, to prevent the smoke from annoying the neighbors. 'And there,' added Mr Gabriel Parsons, as he passed the bottle—'there I remained till half past seven o'clock next morning, when the housemaid's sweetheart, who was a carpenter, unshelled me. The old dog had nailed me up so securely, that to this very hour, I firmly believe no one but a carpenter could ever have got me out.'

NEW ENGLAND GALAXY.

BOSTON, SATURDAY, MARCH 21, 1835.

Reply to an article in the Galaxy, March 7th, entitled 'FACTS FOR THE FRENCH WAR.'

The author of the following paper shall have fair play—right or wrong. It would require a volume to answer all his questions; but what we may do, we will with pleasure in the form of notes.

TO THE EDITORS OF THE GALAXY.

Gentlemen—An article in your paper of Saturday, March 7, headed "Facts for the French War" being one, in the same style which (I regret to state) so frequently appear in American prints containing statements both unfair and untrue. I cannot refrain from making some few comments, and correcting *not a few mis-statements* for so short an article. The first part of the article referring to what sundry Editors of British newspapers have published is not worthy of notice.(1) But the *mis-statements* asserted to have been made by Lord Howe in his despatch I will briefly refer to. The French ship, the 'Revolutionaire,' (a three decker) stated to have been captured on the 28th May, 1794, *did strike* her flag although she became no prize to the British. By the French accounts, this vessel lost nearly 400 men, even this error or *mis-statement* was corrected immediately after. The other *alleged mis-statement* of Lord Howe, of a ship of the line having been sunk on the 1st of June, was no mis-statement but the case. The "Vengeur" Line of battle-ship was sunk on that day.—The crew having been taken off by the boats of the "Alfred," "Culloden" and "Rattler" Cutter on the evening of the 1st of June, and she the "Vengeur," sunk a few minutes after the last boat left her. (2) Such are the great *mis-statements* in *British official letter writing*, which the writer of "Facts" &c. has been even obliged to bring forward, (founded on an article of the "Morning Chronicle, a paper opposed to British interests generally, and entitled to about as much credit as newspapers usually are, viz. *none*, (3) and to date as far back as 1794, unable as it appears (even with the assistance of said Morning Chronicle) to find any one upon which to support even the shadow of a mis-statement from among the hundreds of official letters which British commanders have written since that period.

The next assertion that the British have *made misstatements* with regard to the *Americans*, is merely an assertion unsupported by any proof. The writer of "Facts," &c. has done well to leave it as such, without attempting to show *when* or *where*. It would certainly afford some satisfaction and *perhaps* information if assertions were brought down more into particulars, but this would not serve the gentleman so well.(4) With reference to his *hectoring* where he states "beating them (the British) first with *Frigates*, *then* with *Sloops*; and finally as if to leave no excuse, with *Fleets* commanded by *little boys*." This is really a fine specimen of the *sublime*—only needing *truth to make it beautiful!* I shall content myself without any remark, and answer in American way by putting a question. *When and where* did an *American Frigate*, *Sloop* or *Fleet*, capture a British Frigate, Sloop or *Fleet* of *any thing like equal force*? which it is necessary should have been the case to make the *boast* worth any thing.(5) The British are not guilty of the meanness or dishonorable enough to deny their enemies every praise and equally so of mis-stating their force.

With reference to Capt. Broke being made a Knight it was not a matter "without example," and that he deserved some mark of distinction for the 11 *minutes work* which he so gallantly at *the head of his Boarders* in that short time accomplished, none acquainted with the facts (but an American) will deny.(6)

I regret that the gentleman's memory has failed him with regard to "a certain British Captain" of a British 38 gun Frigate carrying 44 guns, who was knighted for "having captured an enemy of superior force," as it would have been very easy to have shown (if so stated) that it was actually the case.(7) British 38 gun Frigates generally carried from 40 to 49 guns, (so did French 38 gun Frigates, indeed with regard to English and French ships of the *same rate* there was little or no difference in armament. It was left for the *honor* of Americans to rate 44 and carry 60, and vessels rating 74 to carry 90 to 1[illegible] guns, size, and crews in even greater proportion.(8) British ships of war at present carry not a gun *more* than they *rate*.(9)

The action of the "Nymphe" Capt. Pellew, with the French Frigate "Cleopatre," Capt. Mullon, the writer of "*Facts*, &c." appears to be ignorant of (or perhaps his memory unfortunately failed him) when he states the "Nymphe" was twenty five tons larger (*this is certainly a great disparity*, equal to about 2 1-2 per cent.) and "threw a broadside HEAVIER BY 384 lbs. This is really a most monstrous and wicked mis-statement, to say the least of it, when the WHOLE broadside weight of metal of the "Nymphe" was ONLY 342. "But was rather inferior in numbers." Now one fourth less in numbers may be considered as worthy of a stronger term than "rather inferior in numbers." For the information of this ignorant gentleman, the writer of "Facts, &c." the following table of the comparative forces of the two ships is given.

	Nymphe.	Cleopatre.
No. } Broadside, lbs. }	[illegible]	[illegible]
	[illegible]	[illegible]
	342	[illegible]
Crew,	[illegible]	[illegible]
Size, in tons,	[illegible]	[illegible]

The reference to the action between the "Frolic" and "Wasp" the writer of "Facts," &c. (by the by a most inappropriate title) again betrays his ignorance in his patriotism; and implies that the "Frolic," which it is stated in the "British Critic" surrendered (without firing a shot) to the "Orpheus" and "Shelburne" did no such thing. And proceeds to inform the public concerning "[illegible]," and then relates the action of the Wasp and Frolic, and their subsequent capture by the "Poictiers" 74, leaving the readers to infer that no American "Frolic" did so surrender without firing a shot, as stated in the "British Critic." For the writer of "Facts &c. further information, I have to state that the said "Frolic" which so surrendered was the "Frolic," a new ship which sailed from Portsmouth, N. H., commanded by Master Commandant Joseph Bainbridge, carrying 22 guns, 175 men, and 540 tons burthen. This was the ship which on the 20th April, 1814, was chased by the "Orpheus" 18 pounder frigate, and "Shelburne" 12 gun schooner, and after a chase, surrendered without firing a shot, an affair which it is no wonder that the writer of "Facts &c." wishes to mask.(11)

A few words about the action of the Frolic and Wasp, and I shall close. The writer of "Facts &c." states "a famous fight we can tell them." The Frolic "superior by we forget how much" (oh, treacherous memory!) "but for 12 pounders among other trifles." Now Mr. writer of "Facts &c." mark how a plain story shall put you down.

On the 13th Sept. 1812, the British brig of war Frolic was on her return to England with a sickly crew (after having been five years on the West India station) from Honduras with a convoy of 14 merchantmen, ignorant of the war between the United States and Great Britain, of which she was informed whilst on her passage. On the 16th, set in a gale, lost her main yard, sprung top masts, and tore both topsails to pieces, and in a crippled state fell in with the Am. ship sloop Wasp, and after an engagement of 43 minutes was captured, the "superiority" of the Frolic which is asserted by the writer of "Facts &c." is thus shown:—

		Frolic.	Wasp.
Broadside metal,	No.	9	9
	lbs.	262	268
Crew,		92	135
Size in tons,		384	434

So much for the "superior" force of the Frolic; and this vessel among other trifles (borrowing the words of the writer of Facts &c.) went into action with a sickly crew and in a crippled state.(12)

If it was the intention of the writer of "Facts &c." to awaken his countrymen to the truth that in the event of a war with France, they will have no contemptible enemy to deal with, I readily agree with him, and they will find it so. Should such an untoward occurrence take place, I trust that whatever encounters they may have, that the French will be more fairly dealt by "in the narration" than John Bull has been.(13)

I feel assured that every honorable American will deprecate the publication of such articles as the one in your paper of Saturday, as not only unfair but unjust, particularly so at this late period. And I regret that such should have appeared, the which was too glaringly false to pass without being noticed.(14) It being the first time I ever attempted to write any article for publication, so I trust it will be the last on such an occasion.(15) As an Englishman glorying in my country I may have been, by that warmth of feeling hurried into expressions rather more severe than necessary,(16) but I have the satisfaction of feeling that I have not stated any thing which I do not on my *honor* believe to be true, and which can be proved.

J. B.

(1) Why pass over 'what sundry Editors of British Newspapers have published'—when the whole article you complain of, is but an array of *British Newspapers* of the highest authority and character, against another British work of no higher character, the *Naval Chronicle*? We have but marshalled Englishmen against Englishmen: and if you refer to the article in the Galaxy, you will find almost every obnoxious remark to have been *quoted* from British writers; and some you will find, which though not *quoted*, are in fact *borrowed* from them.

(2) Having no records to refer to—it is not for us to say that these facts, given upon J. B's '*honor*,' are untrue; but if *true*—why were they not urged in the Morning Chronicle, or in some other paper of the day, in reply to the charge there solemnly and distinctly made, that *British official letter-writing* was not to be depended upon; and that certain ships had been *fraudulently* underrated (not *particularly*, that's a misprint)? for the purpose of depreciating their adversaries?

(3) Abuse newspapers as much as you like, and we will stand by you—always excepting the New England Galaxy and all those who think well of it.

(4) Instead of republishing a volume or two of British official letters, side by side with another volume or two of *American* official letters, concerning the same transactions, *the only way by which we could ever hope to settle such a controversy*, what if we take J. B's own account of one or two battles, and two or three of his implied charges, both founded on British official letter writing, and see what the results are?—This we shall do in No 5.

(5) In answer to this magnificent interrogatory, we reply, that once upon a time there was a battle upon a great fresh-water pond in North-America, called Lake Erie, between a *fleet* consisting of two brigs of twenty guns each, and several smaller craft, carrying altogether *fifty-four* guns and *six hundred* men, a large portion of whom had never before seen a ship—commanded by one Oliver Hazard Perry—we believe that's the name—a lieutenant of twenty-eight years of age, who had never been in action before; and another *fleet* of six vessels, carrying *sixty-three* guns and *eight hundred* men, commanded by Capt Barclay, who was old enough to lose an officer's arm at Trafalgar in 1805.—That was one case—and if we recollect rightly, there was another on Lake Champlain, where one McDonough commanded another fleet. As to frigates and sloops of 'anything like equal force'—the answer to that question would be, a reference to the whole series of naval transactions between the British and Americans during the last war, with the exception of the Chesapeake, and perhaps one or two more. But see note 12. In nine cases our vessels struck to ships of the line or squadrons, while in no less than fourteen battles, we prevailed over an equal or superior force. One of our frigates, for example carrying *fifty-four* guns took two British vessels carrying *fifty-six*—we losing fifteen, the British one hundred and twenty men. Superiority, we take it, does not depend simply upon the result—or a question of capture or non-capture; but upon other things also—as for example—the comparative injury done—the time of doing it—the respective condition of the parties after the battle is over—in other words upon gunnery and seamanship. Let these things be borne in mind—we have no desire to undervalue British bravery—it is of a truth lion-hearted and resolute and *almost* irresistible—but their gunnery was inferior to ours—their ships duller sailers—and their seamanship *therefore* inferior.—The latter is a serious charge; but we make it seriously, so far as the case calls for it—alleging, that for the same reason that *horsemanship* is not so likely to be shown in the management of a coach-horse, as in a blood-racer, so seamanship has little opportunity for exercise or display, except with swift and lively sailers, that answer to a touch, as the hunter obeys the spur. In many cases the British ships were sunk upon the spot; in some, they were so entirely cut up, as to be not worth saving; and this, while our ships were always ready for a new enemy in the course of a few hours. The list of the killed and wounded too—that will give the same answer in other language. As to the comparative size of the ships engaged, with that we shall have to do in another note, merely remarking now, that the brave fellow who commanded the Macedonian, always declared, that if he had the battle to do over again, he should prefer his own ship to that of his conqueror.

(6) Captain Broke *did* deserve to be Knighted. It was a glorious affair; and though there are two sides to that story also, one of which would only serve to exasperate, where we would rather conciliate—still we say it was a glorious affair. God forbid that we should detract from the courage or conduct of those who have beaten our countrymen—'Great let me call him! for he conquered me.'

(7) We are sure of the case referred to—though we forget the name. J. B. may find it by referring to the cases where British officers have been knighted for their French victories. The writer in the Morning Chronicle referred to it, if we do not greatly mistake. It was one of manifest misrepresentation, as we understand it. The French was in fact *inferior*, and the British captain was knighted for capturing a *superior*—so stands the charge on British authority.

(8) It comes with an ill-grace from an Englishman, to twit us with underrating our ships, when the British set the example; not only to us, but to all the world. In 1670, the first class of British ships were of 1545 tons; those of the second, 1033; those of the third, 698 to 781; and those of the fourth from 474 to 600. These were gradually and *secretly* augmented, until the year 1795, when the first class were from 2000 to 2300 tons (the Nelson carrying 120 guns being 2081 tons); the second class from 1800 to 1900; the third class (including the 80, 74 and 64) from 1300 to 1800, and the fourth class from 940 to 1050 tons. And as with tonnage, so with armament. As late as 1827—and how much later we have not the means of ascertaining—ships of the British navy rated 36, carried upwards of 50 guns; others rated at 50 carry one ninety, and others rated [illegible] carry 80, in the fourth class, one kind rated at 50 carry 60, and another of the same rate, 60 and upwards; ships rated 46 carry 50; and those rated 26 carry 46 and upwards.

(9) We are glad to hear this—but when did the change take place? after we had beaten them at their own game of misrepresentation?—Of a truth, they were rather slow in getting under way—if it was magnanimity that prompted them.

(10) Here it may be that we were under a slight mistake. The Nymph was twenty-five tons larger—and she threw a broadside 36 lbs heavier, misprinted 364 lbs, the bottom 6 being mistaken for the figure 4. As to the crew, it would appear now that we were under a false impression—we had no idea that the difference did not exceed 7 1-2 per cent. The Nymph was one of the vessels charged by the writer in the Morning Chronicle with being *fraudulently* underrated.

(11) We plead guilty to a little unfairness here. The insolence of the British Critic, and the temptation of the name, led us to substitute our version of the *Frolic* for his: But still, we were not—and are not now acquainted with the circumstance, referred to by J. B. accompanying the surrender of the New Hampshire Frolic! Perhaps some of our naval officers may recollect more of the matter, and be able to explain why Bainbridge was never *put upon his trial*, if the facts are as stated by J. B.

(12) Now for the other side of this particular story.—'Shortly after the declaration of war, the U. S. sloop Wasp, mounting eighteen guns, and commanded by Capt Jones, fell in at sea with the British sloop Frolic, mounting twenty-two guns and commanded by Capt Whinyates. *The superiority of the Frolic in metal consisted of four long twelve pounders, and her superiority in crew and other respects was proportionate.* Notwithstanding this *extreme disparity of force*, Capt J. did not a moment decline the encounter when the enemy *offered* it. The *Frolic began the action*' (as usual with the British) 'with her cannon and musketry, which the Wasp' (as usual with the Americans) 'did not return *till within pistol shot*.' * * The battle over, 'thirty of the British were found dead and forty wounded; the Americans lost but ten *killed and wounded*.'

(13) Amen.

(14) Quere! We Yankees have a notion that the time has gone by for John Bull to have it all his own way with us, either at sea or ashore.

(15) We should not have suspected this. There is a good deal of the insolence of a practised newspaper writer, as well as a good deal of the meanness of one who had adopted the signature J. B.—John Bull, hey?—on other occasions.

(16) Rather—and you are right to glory in your country: so do we—but we glory yet more in our own.—Both parties have quarrelled over their bread and butter—and both are confounded braggarts; the British in one way, we in another; the British taking it for granted that they are the greatest people on Earth, and absolutely unapproachable, and maintaining it in Parliament, and in all their books, newspapers and sea-songs—and we following their example through our newspapers and fourth-of-July orations—each charging the other with most offensive and excessive vanity.—But enough. We have no hostility toward the British *people*—but we have toward their writers—politicians—travellers—and newspapers—who abuse our country and our people—and we mean to prove it, before we have done with them. N.

RIOTING. We regret to learn that a riot occurred in New York on Friday week, at a meeting of the Protestant Association at Broadway Hall. A mob (Catholics we presume) forced the door, tore up benches, and committed many acts of violence. The sexton had an arm broken, and many ladies fainted, and were trampled on in the confusion. Several of the assembly escaped through a back passage, and the hall was completely cleared of the first audience, and left in possession of the rioters. A breach of hospitality in the maltreatment of citizens of foreign extraction who seek in this country the truth of the national boast that America is the home of the exile, and the land of religious toleration, is indisputable. Such was the burning of the Convent. But a fiendish attack upon American citizens, by foreigners, upon whatever pretext founded, is ungrateful,—and many shades worse than the ill-conduct of an American mob upon men or institutions of foreign extraction can be. There is a strong feeling in this country against Catholics—we should be glad to see prejudice removed, and to have Catholicism calmly and dispassionately examined, and rebutted, if need be, by argument alone.—But this state of feeling can never arrive, if the shillelah is taken up in defence of the Roman Church. It is no excuse for such conduct that Protestants were aggressors.—It is a fact that Catholicism is viewed with undisguised abhorrence by a majority of the citizens of this republic. Still no legal bar or disqualification is thrown in the way of its professors—and throughout the country, except in one instance, they have been allowed the unmolested enjoyment of their religious principles and institutions. In that one instance, there is ground for doubt whether the building burned, can strictly be denominated a religious institution—or,—in other words we doubt whether in calm and dispassionate times, the Catholics would claim Convents as institutions essential to their church.—And while the unprejudiced among Protestants and Catholics are striving to heal the breach created by that event, a portion of the most unworthy of the New York Catholics commit a breach of the peace, infinitely more flagrant in wickedness than the Charlestown riot, because while the Convent affair, was principally odious for its intolerance, the New York disturbance is marked by black ingratitude. Catholics, who are admitted to the privileges of freemen, in a Protestant country, should beware of deporting themselves ungratefully toward those who afford them an asylum. But it is only an occurrence in keeping with the spirit of the age, after all. The questions between Slavery and Abolition, Jackson and the Opposition, Bank and no Bank, Protestants and Catholics, have been referred to the arbitrament of the cudgel and the torch—and why should not all heads keep pace in the march of improvement? Since in questions of religion, policy and politics,

'Apostolic blows and knocks
To prove one's doctrines orthodox,'

have come to be considered fashionable arguments, how can we wonder at the occurrence of tumults? There are always apologies for every riot,—people who are ready to show conclusively, that because there are different shades in complexion, the two races must decently hate each other,—that because there are differences in politics, people are perfectly justifiable in breaking each other's heads at the ballot-box; and that the dominant religious party have a right to burn down the houses of the minority. Away with all apologies for riots! Let us hear no more attempts to whitewash gross infractions of the law. When rioters shall be on all hands, as unhesitatingly denounced as they deserve, riots will cease.

The Catholics in this city merit all praise for the fact that at the late celebration of St Patrick's day, by a dinner in this city, no allusion whatever was made to the destruction of the Convent—and no Irishman was brought to the bar of the Police Court, on the day succeeding for disorderly conduct. W.

EXCHANGE-PAPERS. Our exchanges are getting to be altogether 'too numerous to mention.' We are daily receiving proposals from papers of a character we should be right glad to exchange with—so say our publishers—for we Editors have nothing to do with this department of the paper; but unfortunately, 'first come, first served,' is, or should be the maxim of newspapers; and when we can persuade some of our old exchanges to let us off, or some of the new applicants to consent to receive two or three of our old exchanges, or as [illegible] if they like—instead of the Galaxy, we don't know how we can possibly oblige them.—With the best disposition in the world, we have no other offer to make—and no other reply, where we fail to accept the invitation, which, be it understood, we always do with regret and unwillingness. N.

ON DIT. It is said that a new work, by a Miss [illegible], is in preparation, and will shortly be published. The title is differently reported—some stating 'Six months in the House of Correction' others, 'Six months in the Almshouse.'

LEGISLATIVE. Two troublesome subjects, both of [illegible], and both difficult [illegible] before the Legislature—the Representation, and the [illegible]. For the first, it is as difficult [illegible] itself down to a proper number, [illegible] as for Sir John Falstaff to reduce himself to becoming dimensions. It requires sacrifices on the part of members, both for the power they represent, and, in many cases, for themselves individually,—for the passage of a law limiting the representation, would cut off the possibility of the re-election of [illegible] the proposed [illegible]. Nevertheless, we have strong hopes of seeing a scheme proposed to the people for their sanction, by the present Legislature—for we believe that a large majority of the members are, where the public good is at stake, superior to selfish considerations.

Upon the other subject, the Pauper Laws, some progress has been made—that is to say, bills and resolves upon the subject have been reported, amended and ordered to be printed. The introduction of Foreign Paupers into the Commonwealth has been for a long time, a growing cause of complaint—but this subject like the Representation presents peculiar difficulties in the disposal of it. It is impossible to deny admittance to the wretched victims of foreign political systems who are thrown upon us, less by their own volition, than by the force of circumstances—but while [illegible] shudders at cold or cruel treatment of the unfortunate; prudence is loud in her warnings against a [illegible] benevolence, which would, by the admission of the unworthy, though unfortunate foreign population, degrade and corrupt us as a people. We say unworthy, though unfortunate, because while misfortune is a palliation for vice, and vice is often the consequence of misfortune, it does not necessarily follow that wretchedness and vice are synonymous;—and we should neither condemn all the unfortunate as vicious, nor excuse all the vicious as sufferers from misfortune. Among emigrants a goodly proportion are a welcome acquisition, and among paupers [illegible] there are undoubtedly many persons capable of becoming good citizens. All may be thus classed who are not wretched from the consequence of vice, or so broken by misery as to be incapable of rising above it. The circumstances which have reduced them, beyond their own control, are not beyond all control, and might be averted by a change in the political systems of the old world, which grind the many to support the state of the few. It is this consideration which renders the support of foreign paupers a most unwilling charity;—and it is matter of regret, that the oppressions of their task-masters they follow the emigrants across the Atlantic—they being here in their supposed place of refuge, obliged to suffer for the political injustice of the aristocracy of wealth and title, which they have fled their country to avoid.

Another subject now before the Legislature, commends itself earnestly to the friends of humanity—we mean the abolishment of death as a punishment. There need be no recapitulation here of the arguments in favor of the measure—they have been urged so often, that every person in the community, every member of the Legislature certainly, is familiar with them. W.

NOTICES OF PUBLICATIONS.

LIFE, CHARACTER AND LITERARY LABORS OF SAMUEL DREW. *By his Eldest Son.* pp. 380. Harper & Brothers: New York.

Mr Drew was a Shoemaker. So was Bloomfield; and so was Gifford. The first a metaphysician of acknowledged excellence; the second a poet whom it was the rage to glorify but the other day as it were; the third a scholar and a critic—at whose nod all the writers of the day, 'shook like Olympus at the nod *of Jove*.' So much for Shoemakers.

Of Mr Drew's great work on the Immortality of the Soul, that which led him by one step to the elevated station he occupied for thirty years before his death, we happen to have no very exalted opinion. We read it, to be sure, full twenty years ago; but to the best of our recollection and belief, it was but a dull affair—and not by any means calculated to satisfy, such as to allure the unbelieving, hardly enough so, to convince those who were of the same opinion; with metaphysics, however, as with poetry, it is no recommendation to us, that the author is a shoemaker. In other words, though we may think the more of him, and always do in fact, we do not and cannot think at all the better of his metaphysics or his poetry.—Both are imperial manifestations of all that is Godlike in man; and for ourselves, we care not to know the author, till our understandings in the one case, and our hearts in the other, are overborne and prostrate with conviction, or swelling and brimming with transport. After which, to know the author is a shoemaker, a peasant, or a blockhead in everything else, would but augment our pleasure—not our *conviction*, and our pleasure too, not in the *poetry*, but in the *poet*.

Yet Mr Drew was an extraordinary man, a close and acute thinker and a powerful reasoner. As a piece of Biography therefore concerning one of the principal ornaments and upholders of the Methodist Church, carefully and temperately written, and abounding in valuable instruction, we recommend the book with pleasure. N.

The above work is for sale by Russell, Odiorne & Co.

THE CAVALIERS OF VIRGINIA. We have read the first volume of this work—not a little against our will too, we can assure the author; for as nobody reads our novels, we haven't the heart, or perhaps we'd better say the magnanimity, to read other peoples. The second we might have read—but a woman—the deuce take those women!—has run off with it. So what we have to say, must be said upon the supposition that the second is neither worse nor better than the first.

The Cavaliers of Virginia then is a book just above—and barely above the dead average of newspaper novels.—With the same incidents—materials—and *faculties*, a story worth a hundred of it might have been made by the author himself. His language is often fiery, intrepid and generous—his situations affective—his characters pretty well shadowed forth, but only *shadowed forth*, not *bodied*—his *Irish* excellent as was Cooper's in the outset of his career; and to say all in a word, his qualifications just such as ought to make him *very popular* with the great novel-reading commonwealth of our country; but from one or two *furtive* passages we have met with, we should be half inclined to suspect that Mr Fennimore Cooper *himself* may have had a finger in the pie!! The women are sadly of a piece in both—the gigantic shadow and the interruptions occurring in the Cavaliers and in Lionel Lincoln are duplicates—the doctor *here* and the doctor in the *Spy*—the Irish—All these are but parts of the same 'universal whole.' Of course we wouldn't have the feelings of either hurt—but we are bound to speak the truth, cost what it may. N.

ANNALS OF PHRENOLOGY. No 3 and 4. March. Capen & Lyon, Boston. The first volume of this exceedingly judicious, and well conducted work, is now completed, and the proprietors inform us, that No V. will be put to press directly, and that hereafter, the numbers will appear at regular intervals of three months. The price, our readers ought to know, is but *three dollars a year*; 3-5ths of what we have always been accustomed to paying *for the reprint of a Quarterly Review*, until Foster of New York, (1) reduced their price; and if they will but take the trouble to run over the index, they will be astonished, and perhaps delighted to see how wide is the sphere of Phrenological enquiries and influences. Phrenology itself is but dealt with incidentally as it were, in connexion with a multitude of other subjects, which have been heretofore, either unattractive or unintelligible, for want of a key, which the believers in Phrenology suppose to be now found. Yet, the uninitiated, who would like to know something of the history and progress of the science, and something too, which may be depended on, will be sure to find it in these Annals; after which, if their curiosity should continue, and they are anxious to know more of its practical bearings upon the great business of life—the index of itself will be enough to satisfy them, that of all the sciences—*or pretended sciences* if you will—there is not one, of which it may not be said with as much truth as of Phrenology, that it is a matter of speculation at last—a faith for the *closet*—a study for the [illegible] and the scientific only—and ill calculated for the multitude. It is with the multitude that Phrenology has chiefly to do. If a science at all—*if not* founded in the [illegible]—*if not* supported by the strongest evidence and attested by the boldest [illegible]—it is emphatically a science *for the People*—the last and [illegible] hope of the multitude.

On referring to the table of contents, we find this volume which is made up partly from the Edinburgh Phrenological Journal, and partly from original contributions, dealing with the following subjects:

Phrenology and its Adversaries, their arguments, motives, and misrepresentations: its practical utility—its progress, &c.

Transactions of the London and other Phrenological Societies.

Combativeness—Liberia, &c. &c.

Phrenological chapters and evaluations, of Gall, Spurzheim, Robert Burns, the Rajah Rammohun Roy, and Cowper, &c.

On the Cause of Liberty.

On the organs or faculties—with combinations—on the frontal series—on Constructiveness, Calculation, and Color, &c.

Application of Phrenology to Criticism—History—Eloquence—Education—Biography—Language—The Study of Human Nature.

Fatalism and Phrenology.

Popular Education—Infant Schools—Physical Education, &c. &c.

Sermons.

On the method of taking casts, masks, &c.

If this be not a broad field of enquiry—we desire to know what is; after which we have only to conclude, by earnestly recommending the work, not only to those who are acquainted, or who desire to be acquainted with Phrenology—but to those who are—or rather to all who are ignorantly opposed to it, *if any such there are*. To *them*, especially if they are moral philosophers or metaphysicians—it is the Unknown God, worshipped by the Athenians; and a motto worthy of the Science would be found in the sublime annunciation of Paul to the Men of Athens—'Whom ye ignorantly worship, *Him* declare I unto you!' N.

(1.) By the way—the last Blackwood has not been received. Hereafter, if we do not mention a number, it must be inferred that we have not received it.

KNICKERBOCKER for March. We should like to know whether this journal is intended to appear on the *first* or the *fifteenth* of the month? In other words, this being the fourteenth, and we a long way down-East, we should like to know whether it is too late, or too early?

Abuse of the Brain—B. B. Thatcher. Pleasant, sensible, satisfactory and almost scientific. Mr B. B. T.—barring his third letter, is an especial favorite of ours.

Happiness—W. D. G. Three letters more! No wonder the man writes poetry—a very promising 'pencil sketch.'

Laboratory of Nature. Prof. Beech. A kind of paper one rarely meets with in a Magazine; altogether too good for the mob of light readers, and exhibiting, with a good deal of sheer common-place, a good deal more of high-hearted, warm and breathing philosophy. Would such papers were plentier, even where they have no business—to wit, in monthly magazines.

Stanzas. Very good—the last stanza in particular.

'But fill the dark sod which no stone shall adorn,
No hand ever freshen with shrub or with flower;
We bury him coldly, we leave him forlorn—
And midnight was never more dark than this hour.
It is but a year since all proudly he stood,
Brave, bright, unassuming, the sought, the preferred,
Upheld by the strong and beloved by the good,—
Now—*bury him quickly, and utter no word*.'

Passages from a journal of a recent tour in Scotland. Agreeable and easy writing—one is reminded of—

'You write with ease to show your breeding,
But easy writing's d—d hard reading.'

A smart quotation—but we have rebuked the tempter, and resolved to forbear, inasmuch as it would be *unjust*; for such easy writing is *not* hard reading.

Home—by the Author of Guy Rivers, &c. &c. &c. &c. &c. &c. There were passages in Martin Faber worth remembering—the others *celebrated works*, we have not seen—but we beseech the author, *of* whom, by the way, we have a high opinion, to beware of such *meaning* as we find here under the guise of poetry—

'Oh, nor the *smile* of other lands,
Though far and wide our feet may roam,
Can e'er *untie* the genial bands
That knits our hearts to home.'

The remainder is a mixture of dull prose and fine poetry; but—pump or no pump—*smiles* don't *untie* any thing that we are acquainted with. The *smile of the sun*, perhaps, may loosen the *frost-bands* of a winter-brook—but the bands that *knit* our hearts to home are not, we should hope, of that manufactory. But let us follow the process out. The *sun shines*. Sunshine *melts ice*. But when the sun *shines* he is said to *smile*. When rivers and brooks are frozen over, they are said to be *frost-bound*. Therefore ice is a *frost-band*—a *chain*. Few, when the sunshine melts the ice, it is said to *dissolve*, or *loosen* the *chain* or *band* aforesaid. Therefore the *smile*—*of* the sun *loosens*—the *bands of*—*winter*. And *therefore*, according to Mr S. who will go a step *farther*—a *smile*—*unties*—the genial *bands*—that *knit* our hearts to home, &c. &c.

Life. Another good paper—certainly out of place. Never mind though. If a magazine flourishes, it may *make a place* for any thing.

Night. An extract. Well enough as poetry, as prose, it would be great.

Opinions and Recollections of a retired Sailor. Capital—the best magazine-paper in the book. N. A.—if no more, is indeed a loss to our literature. There is a freshness, a strength, and a waywardness here, not often to be had for love or money.

The Division of the Earth—from Schiller. A very difficult thing—very decently done. But why render German poetry into English rhyme? The original is a free-spirited, manly and striking affair—any such translation would be comparative *twattle*, not *twaddle*, as every body misrepresents the word. He who can do this—*might* do infinitely more, and *must*.

Saint Pierre. A very singular institution, well described—brief and to the point.

The Anniversary. We would praise this, but for its unfortunate leaning toward another's *manner*—that of Mrs Butler—'Still onward *fleeteth*,' and 'to me *seemeth*,' ought to have been written by one and the same person. Why should E. C. E.—forget herself so as to resemble another? Excellent as was the poetry of Miss Kemble—or some of it rather, for we have not seen much—its principal charm was *its peculiarity*. But Miss Kemble, is *Mrs* Butler now—and we have nothing more to say—either of her or her poetry.

A Scene in Real Life. The foundation of this may be true enough—but the particulars *cannot be true*. And why?—Because the nigger and his wife could not have told the story, even if it had occurred—the girl herself died on the spot, and the mother went crazy. Who then were the witnesses?—The Editors of the Knickerbocker? or the 'source entitled to implicit credit?'

Twilight. Pretty.

Excerpta—Matthew Carey. Another grist of old newspapers and forgotten jest-books, ground over, by one of the best men alive. The *Taking of Umbrage* may be found in the earliest edition of Joe Miller, 1612—page 48.

A night with a Madman. Exceedingly well done for the *truth*—and much of the story must be *true*—but there is *keeping* in the embellishment, which is a good deal to say now, even of regular built affidavits. The author is one of the best writers of wholesome English, we know of.

Sonnet—from the Italian. Not worth translating.

Poems—by J. G. Percival. Rather too John-Bowringish. Sweet and musical to be sure, but only to be understood and *felt* by the *few*.

Oliapodiana. Very pleasant.

The dream. Affectionate and rather pure.

Sketches of Travel—Timothy Flint. Hearty, strong, and healthy, as we should expect of our old fashioned friend Timothy. But—'Nature on every side was *redolent* of *health, cheerfulness, order and industry*'—what!—*smelling* of health, cheerfulness, order and industry?—Oh that we could cure such people of such words!

Magazine writing. Pho!

Death, Time and Eternity. Grand—simple—worth a whole page to itself, and a much larger type.

Literary Notices. Not worth reading.

Editor's Table. Quite the reverse. N.

ADDRESS BEFORE THE PEOPLE OF COLOR. Portland. By Daniel C. Colesworthy. A very sensible, unaffected affair—by a red-hot Abolitionist.

THE DOWNING GAZETTE. Col Crockett and Major Jack Downing, have hitched horses in a *litterary* copartnership. The Colonel's *first* appeared in the Major's *last*. N.

JUVENILE MISCELLANY, No 3, Vol II. We hope to see this little work in every body's memory. By no-ways, however, be it understood, we do not approve the place where very little babies are swathed and swaddled—'cabin'd, cribb'd, confined,'—but where sons and daughters are raised in the way they should go, with at least a part of the care mothers, ay, and fathers too, bestow upon their Multifloras, Grapes or Washingtonians. But—one word by way of suggestion here. The *language* must be altogether suited to the work—not merely here and there, by fits and starts, but always and altogether. Our detestation of children's books and our unappeasable determination to take the matter in hand ourself before long, if a great change does not appear, grows out of such language as the following, in a *child's book*.

'Oh, mother! a letter! a letter!' *exclaimed* Laura Danvers, *bounding* into the house. She *rushed* forward to the empty parlor, *crying* 'A letter! &c &c.

Now, of all the children of America, ay, of all the countries on earth, where English is spoken, how many are there between the ages of three and forty-five, who ever *heard* either of these four words employed in the sense here ascribed to them? Observe, we do not say *read*, but *heard*?—Ask any little girl you see for the definition of *bounding*, *rushing*, and *crying*; or any large girl to translate that very passage into English, 'pure and undefiled,' and see what she will make of it.

Nevertheless the story is a good story—the work a nice little work—and the first embellishment, very good—the second frightful, and the third middling. N.

MR. JONES'S LECTURES.

When we talk about Phrenology, our readers may always understand "errors excepted" to be understood, if not expressed.

One of the subjects of Mr. Jones's Lectures on Monday evening, was the Organ of Cautiousness. The Lecturer dissented from the commonly received doctrine that the emotion of fear is attributable to cautiousness, but he narrowed fear down from general timidity, to sudden starts or emergencies. If we understood him, he meant to say that those whose caution led them to fear distress or trouble, at a distance, were very collected and courageous in danger when it came. This, to us, appears unwarranted by experience. It may hold true in cases where a danger is long and clearly foreseen, where every advantage of time and opportunity is afforded to guard against it; but where a disaster breaks on one, unexpectedly, like a thunderbolt, if his be a head whose cautiousness has always induced the wearer to be provided against *usual* occurrences, the consciousness of being unprepared will double his trepidation; but your devil-me-carish, happy-go-lucky wight will take an *unusual* event as a *common* affair, a thing of course, and wriggle himself out of the consequences, while his cautious neighbor is standing perfectly aghast with fear, and surprise that there could be any possible contingency that he was unprovided for. We take it, that what is usually called presence of mind, is not the exclusive attribute of the organ of cautiousness.—While treating of this organ Mr. Jones mentioned the case of one of the lunatics in the Worcester Asylum, whose cautiousness leads him to fear that his support will bury the State in debt—and it is not without great difficulty that he can be persuaded to eat what is necessary for his subsistence.

In the course of the lecture Mr Jones translated 'Natural language,' or that branch of it which is included in the carriage of the head. The preponderance of Veneration inclines a man to stoop forward, Self-Esteem throws the head back, and Love of Approbation gives it a side way inclination. Here is a chance for those who run, to read. By the way, it was a lucky circumstance for the hero of Mr Neal's tale, last week, that in his journeyings he did not happen to encounter Mr Jones—as that gentleman could have pronounced upon him, despite his silk handkerchief, skull-cap and all. At this rate, we non-phrenologists will soon be obliged to carry our heads under the arm in self-defence. A suggestion, while we think of it:—having the magnanimity to allow the Phrenologists all the vantage ground possible, we would submit to the Boston Society, the propriety of obtaining, through their European Correspondence, a cast of the head of the original of Paul Pry.—The character on which that comedy was founded, was a woman, and would have been a Phrenologist, had she lived till the name of the science became, as it now is, a household word.

Upon the Organ of Benevolence, the lecturer said that Almsgiving is as often prompted by Love of Approbation as by Benevolence. Here gentle reader, is a solution of the 'why,' that some people who have heads on which, where the Organ of Veneration should be, a bird may build, are nevertheless prone to make a jingle in the poor's box, and head subscription papers with a tremendous chirographic flourish. W.

MORE WOODEN NUTMEGS. As an offset to the everlastingly-repeated and universally-believed stories about Yankee tricks and Yankee niggardliness, a friend has just mentioned a *fact* worth circulating. A gallant Pole (M. Nivengosky) having occasion to pass through a part of New England from Canada, about a month ago, *found the whole way open to him without money and without price* after he crossed the boundaries of Yankee-land. Not a stage-proprietor nor a tavern-keeper would receive a farthing from him; and he travelled in every direction, *free of charge*. There's for ye! N.

MORE WOODEN NUTMEGS. As another offset, we give the following. Something like a year ago, something like a dozen Poles, were refused admittance into his house by a landlord, somewhere between Boston and Hartford, turned into the barn in a storm, and compelled to pay ninepence a head for their *bedding*. Put that and that together. W.

HUMANITY. 'Indeed his crimes merit a more horrid death than the law sanctions.' So ends an account of the perpetration of a murder, and the arrest of the murderer, in a Clinton, (Miss) paper; the editor thereof thinking that the simple death of a criminal, by hanging, is not sufficient for all the purposes contemplated by the law. What would the man have? Torture on the wheel—impalement—burning at the stake—or some of the horrible cruelties of the Chinese code? We did not dream that there existed in this age, and this country, a man who would have the punishments provided for criminals, for the safety and welfare of the public, degenerate into cruel and brutal *revenge* on the offender. A man who could coolly and with premeditation utter the opinion quoted at the head of this paragraph, deserves to be elevated to the office of executioner. W.

THE WANDERING PIPER. We should like prodigiously to know what has become of a capital farce under the above title, written by a Spanish Gentleman, translated by ourself, handed over to the Tremont Manager, and promised to be produced *immediately*—above eighteen months ago. If not to be produced, and immediately, we wish it to be returned to the Galaxy office. N.

TREMONT THEATRE. Mr and Mrs Ternan commenced an engagement at this Theatre on Monday night, in Knowles's play of the Hunchback. Fazio, and The Wife, a Tale of Mantua, and the comedies, 'All in the Wrong,' and 'A Bold Stroke for a Husband,' have been presented during the week.

Mrs Ternan takes a benefit on Monday evening.

MRS W. H. SMITH takes a Benefit on Wednesday evening next. Her sister, Miss Eliza Riddle, appears for that night only, in the character of Julia in the Hunchback.—Mr Knowles, who has played with the lady in this drama, has pronounced her conception and personation of the character excellent, and as it is her first appearance here in a drama, with which Boston critics are so familiar, they will improve the opportunity to compare Miss Riddle's Julia with the character as presented by other actresses. After two Addresses to the Fire Department, (one written for this occasion, by a Veteran and Engineer) and a Fantasia on the Flute, by Mr E. Riddle, by way of interlude, the Operatic Farce of The Invincibles, will be presented, the Little Corporal, Mrs Smith. W.

ORATORIO. The exercises at Boylston Hall, To-morrow (Sabbath) evening, are for the Benefit of the Orchestra leader of the Handel and Haydn Society, Mr COMER, an old musical favorite with Bostonians, that circumstance alone, independently of the excellent selection of the exercises, should fill the Hall. Mrs Andrews, Miss A. Woodward and Mrs Kellogg, assist on the occasion. W.

THE PORTLAND ADVERTISER is out upon us again—pop—pop—pop!—And a good deal to the purpose too, we promise you. But, although the *publishers* appear to be sick of their bargain, saying 'it is not their wish to get into a newspaper *warfare* with us,' we beg leave to say that we have not done with *them* yet. According to our notion of the fitness of things, it is rather late in the day for them to talk about their *wishes* in the matter—they should have thought of all that before they suffered a third party to fly at an unoffending individual from behind their baggage-wagon. Hit a fellow a clip, and holler *enough*! hey?

And now to begin. There is a slight mistake in the first paragraph—we don't say your first paragraph, but we might be understood to imagine it possible that you could have written so much without assistance. We didn't call your 'Cincinnati correspondent' *an ass or a liar*, whatever we might think of him—or of his publishers. We left all that to be *inferred* only; and as you are *perhaps* able to draw your own inferences, we are rather disposed to agree with you for once—provided you'll promise to take no advantage of it hereafter.

With regard to the 'rejected *communications*'—another slight error here—it *should be communication*—we deny the *s* only—you are right in making the most of the—we don't blame you for crowing there. It is indeed a feather in your cap: we dare say you never rejected a communication before—pray how did you feel?—how did you sleep afterwards? If you should have occasion to mention it again, however, what if you try it in *small capitals* instead of *italics*. But in mercy! don't attribute your decision to the *language* of the paper—as if any body on earth were likely to believe it possible that you were ever influenced by such a consideration! but rather, if you are not lost to all sense of *shame*, do acknowledge the truth—namely, that you were frightened by the advice of a neighbor whose acquaintance with the laws of language is just about enough to enable him to get his name to the right end of a promissory note—when printed blank. And don't forget we pray you, while felicitating yourselves on the want of resemblance between the Portland Advertiser, and certain '*papers*' not altogether so *successful*—as if anybody on earth ever suspected the least possible resemblance between them!—to bear in mind that the Portland Advertiser has been carried on ever since it was first heard of beyond the limits of Cape Elizabeth and the immediate neighborhood, by one of the understrappers of the Yankee, and that the Portland Advertiser to this day is more generally and widely known—we appeal to yourselves for the truth of what we say—by the accidental publication of an article *rejected by the Yankee*, according to your own Editor, on account of its *language*, and tossed over to you in charity, than by any thing else that ever appeared in the Portland Advertiser *aforesaid*. We allude to *Courtship*—an article which has turned all your heads—made you exceedingly presumptuous, and furnished you with a stock of reputation, which, between ourselves, you had better not be so prodigal of—it won't last forever.—We pass over the *Sleigh-ride*, copied without leave from the Yankee, and published and *republished* in the Portland Advertiser, with a *contribution* which, sooth to say, we have never happened to see, though we have the highest opinion of the author—notwithstanding his connexion with the Portland Advertiser.

You say—'Mr N. had better withhold his advice till called for, as when we consider the *success* he has met with in conducting *papers* heretofore, we shall not be in haste to tax *him* for advice.'—Hoity! toity!—but there's another error here—another little *s* too much. What *papers* did Mr N. ever conduct? never but one in his life—and if that didn't succeed, the devil *is* in it. It kept the whole country for nearly two years—and what more would you have? A joke's a joke; but this is going a *leetle* too far, when the simple fact is, that *he was never connected, in any way, directly or indirectly, with any paper or journal*, which *didn't prosper*—particularly after he left it! And he has been so connected with at least *forty*, all of which are in full feather now, and have been for years, and all *distinguished*! There's for ye!

But '*We keeps an Editor*, hey! And '*We*' mean to publish whatever our Cincinnati correspondent may choose to say of a certain person, who shall be nameless! Be it so!—But we advise you, 'as a man and a citizen whom ye have always respected,' to be prepared for the consequences. Hereafter, we shall ask no questions, but hold you and all of you answerable, as fast as we can find you out, for every insinuation or presumptuous thing we *hear of* in the Portland Advertiser, relating to *ourself*. So—look out for squalls!

P. S. You are right. Never think of paying your correspondents by the *yard*—most of them deserve to be paid by the *foot*. N.

MASTERS AND SEAMEN. Among the acts passed during the late session of Congress, was one in amendment of the acts for the punishment of offences against the United States, the first section of which defines the crime of revolt, felony or mutiny on shipboard, and makes it punishable by a fine not exceeding two thousand dollars, or imprisonment not exceeding ten years; and repeals the eighth section of the act of 1797 which makes mutiny punishable with death. The second section defines an attempt, or endeavor to create a revolt, and makes such attempt punishable, upon conviction, by a fine not exceeding one thousand dollars, imprisonment not exceeding five years, or both.—The third section makes officers maltreating their crews, punishable by fine or imprisonment, or both, within the limits of the second section. We have heard this act spoken of by experienced Ship-masters, as highly satisfactory, as it defines distinctly what is punishable as a revolt, and what as an attempt, and as the section upon the offences of officers, removes the temptation hitherto held out to unprincipled cupidity. The act does not, as we understand it, abolish the infliction of death in cases of mutiny where murder is committed. W.

STRAWS.

RECOMMENDATORY EPISTLES. Speaking of notes recommendatory, given by dismissing employers to dismissed employees, Addison says: 'The true reading of a letter of this sort, is,—The bearer hereof is so uneasy to me, that it will be an act of charity in you to take him off my hands; whether you prefer him or not, it is all one, for I have no manner of kindness for him, or obligation to him or his; and do what you please as to that.' This is not a rule of universal application, but it holds true in too many instances. In proportion as one feels the need of ridding himself of a troublesome fellow, he is apt to give the bore facilities for providing for himself elsewhere. Therefore you may generally interpret a 'character,' by the rule of contraries—and substituting the opposite vices for the virtues credited to the bearer, use the same qualifying adjectives.

'Say what men will, she (the muse) does not love empty pockets nor poor living.' So thought Crabbe, and experience might have taught him, certainly, who liked, and who disliked 'poor living.' But necessity developes a man's talents, and 'the muse' who disliked Crabbe's hard fare, was pricked into exercise by sheer necessity. The first year or two of Crabbe's life in London, was spent in utter poverty and destitution;—applications to booksellers were answered with civil but cold repulses—and hopeless and continual penury seemed all he had in prospect. When a brighter dawned day upon him, the Journal of his early London life, must have been an amusing document for review.

HOPEFUL SCHOLARS. Some of the Missionaries at the Sandwich Islands have given up all hope of being able to teach the Islanders. By the representations of the principal of one of the schools, connected with the Mission, published in a Periodical belonging to the Society for Foreign Missions, it would appear that the Islanders are the most stupid people in the world. As an instance:—One of the natives inquired what kind of wood the sheeves in the blocks on board of vessels were made of. He was told *lignum vitæ*, but being unable to pronounce that word, his informant translated it into the native language, giving the savage the words signifying 'tree of life.' Months afterward, portions of the Bible were printed and distributed among the islanders, in their native tongue. One of the Missionaries was called up from a sick bed by a chief and his attendants, who commenced a conversation about ships, tackles, blocks, &c. and then asked if the 'tree of life' used in making blocks, was the same as that spoken of in the bible.

An 'esteemed correspondent' of a cotemporary print, has sent the editor a few *original* bijoux in the shape of witty sayings, which he the said editor publishes, expressing

...that he may hear often from the ... Among the ...t is something like the following: 'Every animal in ...e grows grave, as it grows old; except an old woman, ...d she grows frisky.' Aside from the coarseness of the ...g, which has no claim to wit or truth, it is very unfor...nate that Sterne, and the 'correspondent' should have ...ched the same thought, in very nearly the same words.

Robert Burns would not furnish lines for the poet's cor...er of a London newspaper for a handsome compensation ...cause it was beneath the Muse to work for hire,—but he ...s fain to accept a petty office in the customs to support ...is family.

CROPPED STRAW. Among the 'straws' last week, ...as one which N. cuts up as follows:—

New England Galaxy, a paper published somewhere in the State of New England, as appears by the title. In the last Galaxy, allusion was made by one W. to the Sail-maker aboard the Constitution by the name of *L'Homme-dieu* which is oddly enough translated *Man-of-God*.—Sheer carelessness of course—but the same identical combinations are found in every language of Europe. L'Homme-dieu—Man-God—in French. In English, not Man-God, but God-Man—Dr Godman for example; most of the titles given to the Savior in the old Testament, are of a like character, mere *names*, and names too in frequent use among the Hebrews and their neighbors. N.

A Phrenologist called our attention the other day to the fact that Lawrence Sterne is always painted with his fore finger on the Organ of Ideality,—and cited it as a phrenological fact. Ben Franklin's *chin* always rests on his thumb, in portraits and twopenny prints. Qu—What organ is located there? W.

CHEESE PARINGS.

ORIGIN OF THE YANKEE IN ENGLAND—and half a dozen other abortions, which are now in full feather. General Humphries of Conn, wrote and printed at Humphriesville, a farce called the '*Yankee in England*.' *It was never published*. But the best of the joke was, that he dedicated it to William Gifford of the Quarterly! and in such a way as to put poor Gifford into a most awkward scrape; for minute criticisms are alluded to by Genl. H. In this play, '*by confining* the time for the completion of the plot to that of the representation, he has helped the verisimilitude.' (A great truth for the closet—not worth a fig on the stage, at least in this particular play.) Matthews and Hackett, are both largely indebted to this very farce. Hackett in the *stun, hum, du, tu, &c.* And Mathews in the passionate temper of his Yankee, and in his general character throughout the piece. For example, 'I'd rather be in rags than fool so, or go through the world stark-naked, than be imposed upon.' 'Here mister!—here's flesh an blood as good as your'n; and under it a good piece o'pluck about as big as a bullock's heart, that don't fear the face o' clay'—'I'm a free born American!—didn't father fight for freedom and independence tu?' 'Here's some o' the old family licker, scaldin' hot in my veins, when I'm a little roiled and put out.' 'Somewhere in Vermount, pretty much as the Indian said, he was born at Nantucket, Cape Cod, an' all along ashore there.' 'I see you have no pride nor a bit of a gentleman about you.' 'What's your name and callin? Where was you born? What was your bringin' up? What trade have you worked at sin' you came of age? and how've you got along in the world?'—Stan off! Keep out o' my way! Mock me again! heh!' So too when he won't be appeased—grows snappish—then suddenly calm, nobody knows why—always going from one extreme to another. 'I assure you I do not. You mistake; I only meant'—'To strip the close off my back, hey? Here take em! take em! I wont be imposed upon a second time.' 'Nobody intended to impose upon you; I only meant'—'I don't care for your meaning, I know what I mean; I won't hear none o' your gum.' 'Will you not hear me?' 'No, no, I won't.' 'You are not reasonable.' 'I guess I be'nt (*false Yankee*); I'm glad I ben't, an I don't incline to be, when anything mads me so.' 'It was only a jest.' 'I won't take a jest; no I won't, nor be joked with nother.' But enough. Here is the groundwork of *all*—even of the *errors* we see upon the stage with regard to *Yankees*.

LANGUAGES. In the acquisition of languages, rely upon *translation and retranslation*. They are worth all the masters in the world, after you have got the pronunciation. Books are the cheapest, the safest, the most patient, and the least troublesome of all language-masters.

But in *retranslating*—that is, in returning what you have translated, into the original, after the original is forgotten, you may save yourself a world of labor, by having a master at your elbow, especially if he takes care to translate as *literally as possible* at first, thereby showing where a change is *indispensable*, and where you would be understood without a change. He is worth all the dictionaries, and grammars, and exercise-books in the world.

Again. A and B wish to talk together for practice, in a language that A is learning of B. But, as the matter is usually managed, B cannot help A, in most cases, merely from the fact that he does not know *precisely* what A is driving at. A being withheld by a mixture of false pride, or by a silly ambition, or perhaps by sheer inability, from declaring before-hand what he wishes to say in that other language, both continue playing at cross-purposes, till both are tired to death. Now—just put a very simple book or a decent newspaper (we hope there is no contradiction in terms there) on the table before the master and pupil, and let the pupil try to put what he sees there into the simplest form he can, of the language he seeks to beacquainted with. How much labor—time and money are saved. How much vexation, blundering and sore discouragement. Try it my lads! We have—and we would undertake to learn three languages a year, by the help of a good master, if we could but find a *native* to *begin with*, who would let us have it all our own way—and this too, without interfering at all with our half a dozen editorships, our two or three trades, and ever-so-many *professions*.

ELOQUENT REASONING. The brightness was transmitted from link to link in flashes. The thunder of conviction was sure to follow. 'Decision followed every glance of thought as the *thunderbolt* pursues the flash.

RAW MATERIAL FOR CHARACTERS—*on the Stage or off*. From the time that Shakspeare thought of distinguishing one man from another, by the everlasting repetition of a favorite phrase, novel-casters and play-wrights, have looked upon it as absolutely *natural*. From—'That's the humor on't'—to pro-di-gi-ous—through all the varieties of *That's your sort!—Keep moving!—Make a splash!—Revery disagreeable!—In such a style*—Thank ye good sir, I owe you one—about four-fifths of all the *characters* we now see on the stage, or in novels, are so *distinguished*. Why not give one man a black waistcoat, and another a red one—and call them both *characters*?

POETRY. RHYTHM. La Motte regards poetry as a formal custom, invented to ease the memory, and to which habit alone reconciles us. He dwells on the *unities* as an other prejudice. Voltaire combats him on the first ground, in his preface to *Marianne*, published in 1729, and on the other in Œdipus, or in the letters printed at the end of Œdipus. N.

WOBURN MEMBERS. It will be perceived by the Legislative proceedings, that the Woburn members whose election was contested, have been re-elected and returned to the House. W.

TO READERS AND CORRESPONDENTS.

'*To the Senior Editor*,' next week.

Did a certain Anacreontic friend of ours ever meet with a song commencing:

'Fill high the bowl with *Samian* wine!'

NEWS OF THE WEEK.

FOREIGN.

FROM EUROPE.—By the packet ship Virginian, Captain Harris, we have English newspapers, Prices Currents, and Shipping Lists, and letters to February 11th.—*N. Y. Jour. Com.*

Parliament was to be opened by the King in person on the 19th of February.

Money was abundant in England, and all branches of trade prosperous.

Lord Brougham and his suit arrived at his residence, in Berkley square, on Thursday evening, from his three months tour on the continent.

Correspondence of the Morning Chronicle.

Paris, Feb. 7.—There cannot be the least doubt now that the American indemnity will be voted by the Chamber, since the members of the Commission elected on Thursday to report on the question are unanimously in its favor. The vote of the United States' Senate, which subsequently arrived, ... some of the objections raised by the ... pride of the French against the payment of the claims. Hence, it is probable that the Treaty will pass without any paragraph throwing blame on the Ministry, such as M. Passy proposed, and for which proposal M. Passy was not chosen on the Commission. It should, however, be remarked that many members of opposition supported Ministers, or at least insisted on the necessity of fully satisfying the United States. Amongst these were not only George Lafayette, but De Sade, De Tracy, and others. M. Roalier Dumas, a member of the Tiers Parti, and M. Delessert, who in 1831, had declared that only thirteen millions were due instead of twenty-five, were found on the present occasion supporting the Ministerial view of the question. With these, moreover, went all the deputies of the great ports, Bordeaux, Nantes, Havre, who, though in general anti-Ministerial, were nevertheless obliged, from position, to avoid all possibility of a war with America.

London, Feb. 9.—Our news from Madrid is to the 29th ult., at which time a general alarm existed lest a revolution should break out, and fresh troops are ordered into the capital from Estremadura. The greatest vigilance is exerted on the part of the government—the post office is strongly guarded, and large patrols circulate through the streets at night. In the Procures, on the 27th, General Quesada attacked Llauder in a violent speech, recommending that he should be watched. The ex-minister had left Madrid on his way to Barcelona, where it was supposed he was to resume the Captain-Generalship of Catalonia, but the impolicy of entrusting him with such a command has been so strongly urged on the ministers, that we do not think he will be allowed to retain the post. It was reported, indeed, that he had been actually recalled. The promises to the mutinous regiment of Arragon have been broken. Cordero and others were ordered to the island of Majorca, but suspecting evil designs against them, they made their escape. The non-commissioned officers were dismissed from the service, the men drafted into other corps, and the regiment disbanded.

The Vice President of Para, and three officers of the customs who fortunately escaped the late massacre, recently arrived at New York. The schooner Oral, in which they made the passage, left Para on the 12th, when a renewal of the disturbances took place.

Lima papers to the 20th November, state that after a long and bloody struggle between the democratic party in Peru, headed by the President, and the aristocrats, the latter had been expelled the country. They had taken refuge in Bolivia, and were forming an expedition against Para, with the countenance of the Government of Bolivia. The President of Peru had taken the field against them.

Capt. Smith, of the schr Northampton, 18 days from St Barts, at New York, informs that the Cholera had made its appearance at Martinique. A vessel which arrived at St Barts from that place, was not permitted to enter.—*Transcript.*

DOMESTIC.

MUNICIPAL.—At a meeting of the Mayor and Aldermen, on Monday. Petition of Wilder Harding and others, to have another Engine house and a reservoir at South Boston, referred. Warrants granted to Wm. B. Brooks 1st Asst. Foreman, and Caleb C. Jones, Clerk of Engine Co. No. 17. Henry Robbins and John Tyler jr. licensed as auctioneers. Resolves passed to widen Temple street, and Hanover street near Salutation st.; also Salem st. near North Margin st. The committee reported that it is inexpedient to make sale of the Brown Wharf, on Commercial st.; accepted. The committee on the application of Joseph D. Dexter, to stand with his Omnibus of fine arts for exhibition in Bowdoin square, reported that the same ought not to be granted; accepted. Monday next was assigned for the choice of Superintendent of the south free bridge to South Boston. Also measurers of wood under the new ordinances requiring the admeasurement of wood brought for sale to the city by water.

A vagrant, pretending to be a Pole, was detected as an impostor by G. H. Snelling, Esq., arrested, tried before the Police Court on Tuesday and sentenced to three months in the House of Correction.

On Tuesday morning, Messrs. Fessenden and Russel's Mills, West Cambridge, were destroyed by fire. Damage between 5 and $6000. A chaise manufactory was burnt, and a dwelling house near the bridges in Charlestown much injured in the afternoon. An old lady perished in the flames. A barn burned down in Pleasant street, in this city on Wednesday evening.

Mr. Armstrong declines being considered a candidate for re-election to the office of Lieut. Governor.

A supper was given on Wednesday evening, by the citizens of Chelsea, to Foreman Barber, and the members of 15 Engine Company, and to the Firemen of Charlestown, who assisted in extinguishing the fire in Chelsea, on the 17th of December last. A splendid silver trumpet was presented to Mr Barber.

A fire broke out in Taunton on Wednesday evening, and before it could be arrested four large wooden buildings, two of which were dwelling houses, and the others occupied as a jeweller's shop and furniture warehouse, were burned down.

Bills have been found by the Grand Jury of Essex, against Messrs Cheever, Phelps, and Andrews, for a libel; and against Messrs Ham, Jenks, and Putnam, for an assault, &c. The trials in all these cases are postponed till the June term.

MELANCHOLY LOSS OF LIVES. The ship Dalmatia of Boston, put into this port Tuesday, with the loss of nearly all her crew. She was bound to Liverpool, but on the passage a man fell overboard, when a boat, with five men, was sent to his rescue, but the sea being heavy, she was unfortunately capsized, when the whole met a watery grave. Owing to the violence of the wind yesterday, our Collector could not board her, but learnt the above from one of the hands.—*N. Y. Gazette.*

On Saturday last, between one and two o'clock, in the morning, the Cotton Factory and Storehouse, of E. T. Smith, Esq. in South Hadley, took fire, and with all their contents were entirely destroyed, Loss estimated at $15,000. Insurance $8000.—*Springfield Gazette.*

The 'Experimental Rail Road' in North Carolina, has made a dividend of twenty-five per cent upon the capital stock, for the last six months.

The Figure Head has been repaired at New York.—Commodore Elliott attended the Bowery Theatre on Saturday night with '*his suite*', that is to say a guard of forty four armed marines. The Constitution sailed on Sunday morning.

REV. E. K. AVERY.—After having long lost sight of this gentleman, we hear of him in Ohio. Among the petitions presented to the Ohio Legislature, was one recommending "to the favorable consideration of the Legislature, Rev. E. K. Avery of Rhode Island, as a suitable person for the clerical honors of the Ohio Penitentiary," in pursuance of a law lately passed, allowing to said institution a Chaplain, and making an appropriation for his support. After a warm debate of some length, the vote to reject the petition was carried by a vote of 46 yeas to 20 nays. We had supposed that Mr. Avery had decided to withdraw himself from before the public—and gave him credit for discretion therefor. But it appears that whatever may be the wish of the gentleman himself, his friends are determined that he shall have no quiet.

The brig Enterprize, Smith, from Washington for Charleston, with a cargo of 78 slaves on board, put into Bermuda on the 20th ult. in distress. On the following day, at the instance of the "Friendly Society" of colored people of Bermuda, a writ of Habeas Corpus was served upon all the slaves, commanding them to be brought before the Chief Justice and answer for themselves whether they would proceed with the vessel to her destined port and continue slaves, or remain at Bermuda and be free. The whole of the slaves, save a woman and five children, declared themselves more desirous of remaining, and being free, than proceeding in the vessel, and they were accordingly set at liberty by the Court. A subscription of $70 was then taken up on the spot, for their present emergencies.

Lieut. Morrison, of the British Navy, has published an account of a Comet, which is expected to appear between the months of May and August of the present year. He says "it will afford a degree of light equal to a full moon! that its tail will extend over forty degrees!" and when the head of the comet reaches the meridian, its tail will sweep the horizon! According to the description given of it by Mr. Morrison, the Comet is the greatest "Monster," (always excepting the U. S. Bank) which the present generation will have the pleasure of beholding.

MASSACHUSETTS LEGISLATURE.

Monday, March 16.—In the House—Sundry bills passed to a second and third reading in concurrence. Also sundry resolves passed in concurrence.

The Bank report was taken up.

The business of the Senate was wholly unimportant.

Tuesday, March 17.—In the House—Sundry petitions presented, and severally referred. Bills authorizing the erection of a bridge in Dennis; to incorporate the Boston Union Manufacturing Company; the Bowdoin Insurance Company; authorizing E. Francis to extend his wharf; to incorporate the Trustees of the Hawes Burying Ground; to authorize the widening of a bridge in Ipswich; in addition to an act to incorporate the India Fire and Marine Insurance Company; to authorize the construction of a wharf, &c., in the harbor of Edgartown; concerning the duties of the Selectmen of Nantucket; to incorporate the Northampton Manufacturing Company; the Northampton Female Seminary; the South Boston India Rubber Company; severally passed to be enacted. Messrs. Wade, Nichols, and Coolidge, re-elected and returned members from Woburn, appeared, were qualified, and took their seats. The discussion on the Pauper Bill was then resumed, and continued without taking the question till the House adjourned.

Nothing of special importance transpired in the Senate.

Wednesday March 17.—In Senate—A detailed report on the subject of the Warren Bridge, was submitted, accompanied with a resolve "authorizing the Lieut. Governor to take a deed of Charles River Bridge," &c. The resolve was passed to a second reading, and 3,000 copies of the report and resolves ordered to be printed.

Sundry bills passed to be enacted in concurrence.

Mr. Jenks, from the select committee to whom was referred the bill "in addition to an act enlarging the limits of the several jail yards in this Commonwealth," submitted a detailed report thereon, concluding with a declaration that ... ought not to pass ... and said report and bill were laid on the table, and ordered to be printed.

In the House—Sundry petitions presented, and severally referred.

Bill defining the liabilities of sureties of Guardians: passed to a second reading.

Bill reported, to prevent the introduction of Foreign Paupers into this Commonwealth, passed to a second reading.

The report of the committee on the subject of amending the Constitution, with the accompanying resolves, were then taken into consideration.

Thursday, March 19. In the Senate, Ordered, That the Committee on Judiciary consider the expediency of authorizing the Justices of the Supreme Court to take cognizance of offences committed against the statute of the United States, passed March 3d, 1825, relating to the Post Office Department.

Bill in addition to an act defining the powers and duties of Railroad Corporations: passed to be engrossed.

Also Bills to incorporate the North American Insurance Company; to establish a Bank in *Lee*.

In the House, Ordered, that a Committee be instructed to inquire if the towns of Middleton, Dorchester, or others, have charged or received for the support of State Paupers, since the year 1830, a larger sum than is by law allowed.

The House again went into a Committee of the Whole, on the subject of amending the Constitution, and having continued some time in session, rose and reported; report accepted.

A message from the Lieut. Governor, on the subject of the Massachusetts Claim: laid on the table.

Bill reported concerning the erection of Wooden Buildings in the city of Boston: read, and ordered to be printed.

Petition of Nathaniel Dearborn et al, of Boston, that the law relating to the appointment of Constables, be revised, and further provision made for the fidelity of those officers.

Friday, March 20.—In Senate—Resolve reported, for the payment of the city of Boston, for expenses incurred in the repairs, &c, on Rainsford Island.

Report and bill on the subject of the punishment of Fraudulent Debtors: read, and ordered to be printed.

Bill to incorporate the proprietors of Chelsea Point Bridge; passed to second reading, and sent down.

Petition of the Boston and Providence Railroad Corporation, for increase of capital; referred.

Bills in addition to an act concerning the Lunatic Hospital; concerning Parishes, &c; to incorporate the South Boston Association, with amendments; the Merchants Copper Company; the Warren Insurance Company; the proprietors of Mills on Concord river; severally passed to be engrossed.

In the House,—Ordered, on motion of Mr Rantoul, that the Committee on Judiciary inquire into the expediency of providing by law for the punishment of the crime of Drunkenness.

Bill concerning the traffic in Distilled Spirits, was, as amended, passed to a third reading.

Bill for the suppression of Riots, &c. was read a second time.

MARRIAGES.

In this city, Anthony Ford to Mary C. Hopkins; Samuel Robinson to Ann Rebecca Mallet; Joseph Riley, of Randolph, to Sarah Godfrey; William Huston to Susan Gates; Wm. Twist to Sarah Ann C. Brazier; Samuel R. Neat to Mrs Mary Fuller; Lincoln B. Knowlton, of Athol, to Charlotte O. Spooner; Wm. F. Tyler to Zobiah R. Pike; Allen Litchfield to Sarah Jackson; Frederick Wethergreen, of New York, to Charlotte Ann Maldr; William H. Wilson to Elizabeth P. Bacon.

At Brookline, Ebenezer Richards to Theoline Tilden; Amos Snow to Mrs Eliza Frost.

At Scituate, Capt John Cushing to Sarah C. Heskins.

At Hebron, N. H. John Goodhue, of this city, to Thirza D. Perkins.

At Piermont, N. H. Rev Thomas O. Lincoln, of Kennebunk, Me. to Malvina B. Wellman.

DEATHS.

In this city, Christiana, wife of Leavitt Gardner, 22; Elbridge Dix, 27; Horace Phillips, 44, a native of Litchfield, Ct.; Mrs Mary Ann Francis, 57; Daniel Wild, 72; Alice, wife of Stephen Emmons, and daughter of Enoch Silsby, Esq. 23. Also, her infant son; Miss Eliza Woods, 29; Betsey, wife of Samuel Semple, 60; Thomas Gill, senior, 60, a native of St Ervan, Cornwall, England, and formerly of Montreal, L. C.; Rebecca C. relict of Wm. Alline, Esq. 67.

At South Boston, Benjamin J. Gurney, 67.

At Charlestown, John Souther, 44; after a lingering sickness of many years, John Roulstone, 39.

At Salem, Robert Stoddard, 59; John Moriarty, Esq. 52. Mr M. was Cashier of the Salem Bank for 25 years; Hannah, wife of Aaron Stevens, 46.

At Newton, Upper Falls, George K. 6 weeks; Francis Edward, 2 years and 7 mos—only children of Moses and Maranda Graves; Miss Hannah Fisk, 21.

At Hingham, Bethiah, widow of the late Benjamin Joy, 95, the oldest person in the town; widow Mary Burr, 86.

At Deerfield, Rev Winthrop Bailey, 51; Col. Thomas W. Dickinson, 90.

At Portsmouth, N. H. Daniel Emery, 25.

At Keene, N. H. Hon. Samuel Dinsmoor, late Governor of that State, 69.

At New York, Maj. Gerard D. Smith, late of the U. S. Army, 46.

At Harrisburg, Pa. Abel Head, printer, of Boston, 22.

At Baltimore, Miss Eliza Ann Newman, 32.

On board brig Neptune, on the passage from St Croix to New York, Dr Kissam, of New York.

THE H. AND H. SOCIETY.

ORATORIO.

THE HANDEL AND HAYDN SOCIETY will give a Miscellaneous Oratorio, TOMORROW (Sabbath) EVENING, for the BENEFIT of their Orchestra Leader, T. COMER, previous to his departure for Europe. Selections from the "Creation," "Messiah," and other celebrated works.

MRS. ANDREWS, MISS A. WOODWARD, and MRS. KELLOGG, have kindly given their assistance for the occasion.

PART I.

Grand Overture, (Flute Obligato, Mr Downe)	Winter
Chorus: Glorify the Great Jehovah;	Haydn.
Recitative and Air; Angels ever bright and fair;	Handel
Recitative and Chorus: He broke the Idols of Bethshema;	Haydn.
Trio: Lo, Morn is breaking; Mrs Andrews, Miss A. Woodward, and Mrs Kellogg;	Cherubini.
Chorus: Pharaoh's chosen captains;	Haydn.
Recitative and Air; Mrs Andrews: With verdure clad;	Haydn.
Chorus: Awake the Harp;	Haydn.
Recitative and Air: In splendor bright;	Haydn.
Chorus: The Heavens are telling;	Haydn.

PART II.

Chorus: Solyma, O! happy Solyma;	Mozart.
Air: Miss A. Woodward: When I think upon thy goodness;	Handel.
Double Chorus: He gave them hailstones for rain;	Handel.
Recitative and Air: On Mighty Pens;	Haydn.
Recitative and Air, composed expressly for the Handel and Haydn Society: Great Source of Day;	Comer.
Chorus: For unto us a Child is born;	Handel.
Trio: There's nothing true but Heaven; Mrs Andrews, Miss A Woodward, and Mrs Kellogg;	Stevenson.
Recitative and Air: Now Heaven in fullest Glory shone;	Haydn.
Grand Hallelujah Chorus;	Handel.

To commence at 7 o'clock.

☞ Tickets to be had at the door on the evening of performance, at 50 cts each. march 21

TREMONT THEATRE.

A CARD.

MRS W. H. SMITH, with respect, informs her friends and the public that her *ANNUAL BENEFIT* is appointed for WEDNESDAY EVENING, March 25th, on which occasion her sister, MISS ELIZA RIDDLE, from the Philadelphia, Washington, and Baltimore Theatres, will appear (for this night only) in J. S. Knowles's celebrated Play of the HUNCHBACK: Julia, Miss Eliza Riddle; Helen, Mrs. W. H. Smith.

End of the Play, by particular request, F. S. Hill's "Prize Poem to the Boston Fire Department" will be recited by Mrs. W. H. Smith

A Fantasia on the Flute, by Mr. E. Riddle.

During the evening, W. H Smith will deliver an Address called "A TOUCH AT EACH AND EVERY ENGINE," written expressly for this occasion, and most kindly presented, by a Veteran and Engineer of Boston.

The whole to conclude with the laughable Operatic Farce (first time this season) called THE INVINCIBLES, or, The Little Corporal: Victoria, Mrs. W. H. Smith, with the song of "Fall not in love."

N. B. The Box Book is now open. march 21

HUNT'S DRAWING BOOK.

A Series of Studies in Drawing, containing fragments, fancy pieces, views, and compositions, done in lead pencil, in a pleasing and original style. By William Hunt. For sale by MARSH, CAPEN & LYON.

march 21

ACCORDIONS.

AMERICAN manufactured Accordions with extra Keys for sale by JOSEPH L. BATES, 6 Court street near Washington street.

☞ Accordions tuned and repaired. ☜

jan 17

REMOVAL.

CALVIN ELLIS, M. D. has removed from No 21 to 16 Summer street, next to Trinity Church, directly opposite his former stand.

DR ELLIS would take this opportunity to inform his friends and the public generally that, in connexion with his practice as a *PHYSICIAN*, he continues to perform *OPERATIONS ON THE TEETH*. Having had several years experience in that branch of his profession, he hopes to meet the entire satisfaction of any who may need his services as a Dentist. tf aug 26

☞ All Lynn Advertisements appear upon the outside of the Galaxy. The advertiser should mark the number of insertions he desires; otherwise his advertisement will be continued till ordered out, and charged accordingly.

SIX MONTHS

IN A CONVENT.

THIS day received by J. R. NEWHALL, second door East of Lynn Hotel—Six Months in a Convent, or the Narrative of Rebecca Theresa Reed, who was under the influence of Roman Catholics about two years, and an inmate of the Convent on Mount Benedict, Charlestown, Mass., nearly six months, in the years 1831–2. With Preliminary Remarks, by the Committee of Publication. march 21

DERBY'S

REMINISCENCES,

SECOND PART, received by J. R. NEWHALL, second door East of the Lynn Hotel. march 21

BLACK LASTINGS.

JUST received from Liverpool, by the Chatham, a few cases fine, medium, and low priced Black Lastings, and for sale by the package or piece on favorable terms, by STONE, SEAVER & BUSH.

march 21 epistm 19 and 21, Kilby st.

JUST RECEIVED.

BY J. R. NEWHALL, 1st and 2nd doors east Lynn Hotel, a new assortment of articles in the book, stationary and fancy goods line, among which are a prime lot of Rogers' Penknives, Silver Pencil Cases, Metal Pens, Quills, Paper, Cards, Ink Stands, Writing Books, &c.

Lynn, Feb 14

UNION FIRE AND MARINE

INSURANCE COMPANY, IN LYNN,

GIVE notice that their Capital Stock is FIFTY THOUSAND DOLLARS, which is all paid in and invested according to law and that they continue to make Fire Insurance for any amount not exceeding $3500 on any one risk; and Marine Insurance for any amount not exceeding $3500 on any one risk, at their office in Nahant Bank Building.

H. A. BREED, President.

ISAAC STORY, Secretary.

Lynn, April 5. tf

REMOVAL.

WILLIAM CROSS, *TAILOR.*

RESPECTFULLY informs his friends and the public that he has removed to the shop formerly occupied by Joseph P. Jackson, directly opposite the First Methodist Meeting House, where he would invite all those that feel disposed, to give him their support, that he engages to fulfil all orders in his line of business with neatness and despatch. Thankful for past favors and a continuance solicited.

N. B. Garments cut and made are warranted or no compensation required

Lynn, June 28 tf

FALL AND WINTER GOODS

THE subscribers have just received and offer for sale at their Clothing Emporium, Market Street an extensive assortment of Broadcloths of every shade and color; Cassimeres of fashionable stripes and plain; Camblets, goat's hair and imitation; Vestings, Trimmings Suspenders, Gloves, Dickeys, Bosom-pieces, and every article in their line.

Also, a fresh supply of Rogers's Imperial Stocks.

ROPES & LAMSON.

R. & L. feel grateful for the very liberal patronage they have received, and trust to merit a continuance of the same, by manufacturing Gentlemen's Garments from a medium to the extremity of fashion, and in workmanship inferior to none. Lynn, sept 20.

YARN, SOCKS.

1000 PAIR Woolen Socks, also a large lot of White and Colored Yarn, Woolen Mittens Gloves, Comforters, &c, &c., all of which goods will be sold at the store, 1st and 2nd doors East of Lynn Hotel.

Lynn dec 6

LYNN MECHANICS FIRE

AND MARINE INSURANCE COMPANY,

GIVE notice that their Capital Stock is FIFTY THOUSAND DOLLARS, which is all paid in and invested according to law, and that they continue to make FIRE INSURANCE, for any amount not exceeding $3500 on one risk, and Marine Insurance, for any amount not exceeding $3500 on one risk, at their office, Lynn Mechanics Bank.

MICAJAH C. PRATT, President.

A. RHODES, Sec'y

Lynn, April 5. tf

SELECTMEN'S NOTICE.

THE Selectmen of Lynn will be in session at the Selectmen's Room, on the first Monday in each month from 2 to 4 o'clock P. M.

Lynn, july 19 tf SAM'L NEAL, Chairman.

JOSEPH EDWARDS, JR,

TAILOR,

MASONIC SQUARE, LYNN.

CONTINUE to execute all orders in his line, with promptness, and in the best style. Having none but first rate workmen, he feels confident that all garments made by him will suffer nothing by comparison with those from the first tailoring establishments in the city. Terms, *Cash*. All orders gratefully received.

Gentlemen's Vestings, Stock, Collars, &c &c, constantly on hand for sale.

WANTED, as above—A number of small Job Makers; none but the best—to whom the highest price will be given

Lynn, April 12.

PROSPECTUS

OF VOLUME EIGHTEEN OF THE

NEW ENGLAND GALAXY.

JOHN NEAL AND H. HASTINGS WELD,

EDITORS.

THE Eighteenth Volume of the *GALAXY*, will commence on the third of January, 1835. In accordance with a promise given not long since, that the paper should advance in literary merit in proportion as it gained in public favor, we have spared no pains or expense to render it worthy of patronage; PRIZES have been paid for a successful TALE & POEM and a liberal remuneration has been given for Original Articles. During the last four months there have been published in the colums of the paper no less than SIXTEEN *Original Tales*, and TWENTY ONE *Original Poems*, together with Sketches, Essays, &c., making in all probably a greater quantity of Original matter than has been given of the same quality in any other paper in the United States.

The fact that these exertions have been met by an increase of names upon our subscription list, far exceeding our most sanguine expectations has induced us to engage the services of JOHN NEAL, Esq, of Portland, who will hereafter be associated with H. HASTINGS WELD, Esq, the present editor; in addition to which we offer for Original Articles the following

PRIZES.

For the best ORIGINAL TALE:

FIFTY DOLLARS.

For the best ORIGINAL POEM,

TWENTY-FIVE DOLLARS.

For the best *Article on a Humorous Subject*;

TWENTY-FIVE DOLLARS.

The manuscripts may be directed to the Editors of the Galaxy, Boston, postpaid, till the last of April, 1835, and the award will be made during the month of May following.—The address of the writer should be enclosed in a sealed note marked 'Name;' and the directions of the successful writers *only* will be opened. All the manuscripts to be at the disposal of the Editors of the Galaxy.

TERMS OF THE GALAXY. Three dollars per annum, in advance. As we have no agents, persons at a distance who wish the paper can enclose the amount by mail.—Postmasters and others who may forward the names of five subscribers and twelve dollars, shall receive a fifth copy gratis: or a reasonable commission.

MASTERS & MARDEN.

Boston Dec 20th 1834. No 38 Court Street.

EDWARD RIDDLE,

PROFESSOR OF THE FLUTE.

No 2 Pleasant street Court.

Or applications may be made at J. L. Bates, Music Store No 6 Court street near Washington street. feb 28

CARAGEEN, OR IRISH MOSS.

4 CRATES of this much valued article, received direct from Ireland, and for sale by HENSHAW & Co. No 28 GRANITE STORE, Commercial Wharf, in parcels to suit purchasers. 6m feb 21

LEAF TOBACCO.

87 HHDS Missouri Cigar Leaf Tobacco; 53 hhds Kentucky Tobacco; 250 bales St. Domingo do; 40 seroons Havana do; 20 do Cuba do. For sale by JOHN CLARK, Jr.

march 7 3w No. 30, Long-whf.

EDUCATION OF BOYS.

ON MONDAY, March 2d, the subscriber will commence a new term at his School Room, No. 26, Hancock street.

The subjects of study, the selection of books, and the exercises at School, will be such as, in his opinion, are best fitted to enlighten and strengthen the minds of his pupils, and thus to prepare them for the business and duties of life—for happiness.

His ability and skill in conducting the education of boys must be judged of by their fruits, by the influence he exerts upon the minds and characters of those committed to his care.

REFERENCES.

Mr. Solomon P. Miles,	C. G. Loring, Esq.
Mr. Ebenezer Bailey,	C. P. Sumner, Esq.
Mr. Thomas Sherwin,	Rev. Samuel Barrett.
P. O. Thacher, Esq.	

TUITION.

For Reading, Spelling, Arithmetic, and Geography, $15 per quarter.

For the Languages and higher branches, $20 per quarter.

feb 28 3tis H. W. CARTER.

OPERATIONS

ON THE TEETH.

DR. PARSONS, Surgeon Dentist, No. 16, Winter street, having obtained the aid of Mr. Nolen, a skilful Dentist, from Philadelphia, gives notice that he will insert the *Incorruptible* or *Mineral* Teeth on nearly the same terms as the other kinds of artificial Teeth.

He respectfully announces that all operations on the Teeth will be performed in the most approved manner, and that the fees for his professional services have never been increased.

He is permitted to refer to—DR. WARREN, DR. REYNOLDS, REV. DR. WAINWRIGHT, HON. MARCUS MORTON.

8wis march 14

COPARTNERSHIP

FORMED.

THE Subscribers have formed a connection in business, commencing the 2d day of March, under the firm of *LEAVITT & BATES*, and have taken the Stock and Stand lately occupied by Hurlburt, Leavitt & Co. No. 16, Union street.

They respectfully solicit the continuance of that patronage extended to the late firm.

CHARLES F. LEAVITT.

march 14—1mis SAM'L BATES, Jr.

PHRENOLOGY.

MR. JONES proposes to give a Course of Ten or Twelve Lectures, both Practical and Theoretical, on the SCIENCE OF PHRENOLOGY, illustrated principally by facts collected from his own observation. The Course will be given at the *Masonic Temple*, on Monday and Friday evenings, each week, commencing at 7½ o'clock—Admissions at the door—25 cents.

Tickets for the evening or for the course may be had at the Bookstores generally, and at the Hall.

Tickets for the course $2. feb 28.

LADIES' CLOAKS.

THE subscriber has just opened 2 cases French Cloaks, of new fabrics and designs—which will be sold at exact cost of importation. E. K. WHITAKER.

FRENCH SHOES.

THE Subscriber has for the last five or six years paid considerable attention to the French Shoes of Este's make. All that have given them a fair trial give them the preference, because they wear better and do not stretch as much, and possess all of the ease and comfort that is peculiar to Este's shoes. As the foot is dependant on the form of the shoe for its good shape, misses' and children's shoes will be particularly attended too, and made by the best workmen. Now for sale—Morocco, Kid, Calf-skin, Prunella, Satin, Satin and Bronze Kid Slippers; Morocco and Calf-skin, Grecian ties thick Soles; Morocco, Grecian ties, thin Soles; kid slips thick Soles; fur lined Shoes, thin and thick soles; misses' and children's Calf-skin, Grecian ties, thick Soles; Kid, Morocco, Calf-skin and Bronze Kid Slippers; Bronze, Green and Black, Morocco, Grecian ties, thin Soles. Ladies', misses' and children's Boots and Shoes made to order. JOHN KIMBALL, 2d,

198, Tremont, 6 doors from Court-street, Boston.

march 14

THE YOUNG PUPIL'S

FIRST BOOK.

AN easy introduction to reading, comprising exercises in the alphabet on a new plan, and a variety of progressive lessons in words of one syllable, beautifully embellished and adapted to the capacities of children. By John F. Lovell, author of 'Introductory Arithmetic' and 'The U. S. Speaker.' For sale by

MARSH, CAPEN & LYON,

feb 27 tf 133, Washington street,

L. S. MARRING.

WOULD inform his friends and former customers that he has made arrangments with the ROXBURY INDIA RUBBER COMPANY, to manufacture first rate *WATER PROOF BOOTS AND SHOES*, for Ladies and Gentlemen, at their Factory in Roxbury, and would invite them to call at the Store of MR THOMAS C. WALES, No 195 Washington Street, Boston—where all the goods manufactured by him are for sale WHOLESALE OR RETAIL.

N. B. All defects made good by a new Pair or Cash as the purchaser prefers. 3m feb 14

SAMUEL G. B. EATON,

NECK STOCK and Suspender Manufactory—Ready made Linen, Hosiery and Glove Store, No 78 Washington street.

Always on hand a goodassortment of Stocks, Suspenders, Russia Riding belts, Shirts, Dickies, Bosometts Drawers, Under Shirts, Pocket Handkerchiefs, Gloves Hose, Cravat Pads, Black Italian Silk, Neck-kerchiefs, &c.

N. B. Neck Stocks of all patterns made to order and repaired. tf nov 1

HOUSE BELLS.

CAUTION TO THE PUBLIC.

THE Subscriber has taken out letters for his new and improved

MODE OF HANGING BELLS.

Specimens of which, combining neatness with convenience, and economy of room, may be seen at the Tremont House, New England Hotel, Bromfield House, or at the Houses of many Gentlemen in this city, and at his Shop, No. 2, Wilson's Lane, opposite the Branch Bank, to which he invites the attention of the public.

His patent embraces, among other things, the application of the Cylinder, Lever, Friction Roller, and Chip Block, to the Clock Bell and Vibrating Plate, inscribed with the number of the room—and he hereby cautions all persons against the infringement of his patent. SETH FULLER.

march 7 6w.

FANCY PRINTING,

CARDS, CIRCULARS, PAMPHLETS, BLANKS, STORE AND SHOW BILLS,

PROMPTLY EXECUTED

IN THE NEATEST STYLE AT THE

GALAXY OFFICE,

No 38 COURT STREET, BOSTON.

ANOTHER PIECE OF

WILLIAM VANS.

A WRITER in the Morning Post of this date, who calls himself "A Friend to Justice," undertakes to say that he has seen a judgment *which Mr. Vans' own counsel* ADMITS *does not exist*. It is the same document in respect to which the *fabricated certificates* have been exposed. This anonymous writer wishes the judgment may be published. He has been already informed that it is actually in the press, with other documents He adds that as Mr. Vans *only seeks a trial by jury*, it seems to him that if no such judgment exists the counsel for the heirs of John Codman ought no longer to oppose the granting of Mr. Vans' petition—because the trial will settle this question immediately. As if this were the question, and the whole question, or even the main question, upon which the jury are to judge!

This is but a repetition of the cry of William Vans.—"*Go to a jury*," says he in all his recent publications—"*Go to a jury*"—and if they do not say that John Codman was a copartner of Richard Codman *in his transactions with me*, then will I consent to abandon my claim forever.

Mr. Vans has at various times proposed various conditions upon the performance of which he has promised to abstain from further persecution of the heirs of John Codman. But no sooner is a condition performed than some new pretext arises, and new terms of abandonment are proposed. His last are excellent—namely, to abandon his claim provided he finds, on the last resort, that nothing can be got by it He *agrees beforehand* to give up the case—whenever it shall have been absolutely and finally *decided against him*.

But would he? Not at all. On the contrary, so soon as the judgment was pronounced he would forthwith utter a handbill, posting the judges and the jury for corruption; sell a new edition of his libels on the Codman family; and petition the next General Court for a Special Act granting him another trial, upon the ground that in the former trial he had been robbed of his rights by fraud and collusion. And some people would be found to believe him! Nay, do but let him tell the story long enough, without formal contradiction, and *a great body of the people* will believe him!! A popular excitement will at last be created; it will grow from day to day, and after about *five and twenty years*, the people will be *ready to hang* the judges and the jurors, if any of them are left, who pronounced so unrighteous a judgment!!! These are no more than just inferences from the course which the case of William Vans has heretofore taken. And the heirs of John Codman have no reason to believe that a verdict rendered in their favor twenty years ago would have contributed more to their repose at the present day, than the uniform and unanimous decision of intelligent and impartial Committees of the Legislature, who *more than twenty years* ago examined the evidence on both sides, and found that William Vans had no more claim in *equity* than he had in law. No—William Vans will never voluntarily abandon his claim, so long as he can sufficiently impose on the public to get a living by it, and this he now does.

Still the question is often asked, why if the heirs of John Codman have at bottom a substantial defence in the equitable merits of the case, why will they not *consent* to a jury trial, waiving all legal exceptions and limitation laws?—Will the gentlemen who make this inquiry have the goodness to ask themselves why the heirs *should so consent?* Do other persons do so under like circumstances?—In truth the estate of John Codman has never been so situated that those interested *could* consent to the abandonment of any legal defence. The *Executor*, who must be the nominal party to the suit, cannot lawfully omit to plead a legal defence, unless *all* parties interested should previously assent, and agree to hold him harmless. *Trustees* and *Guardians* can neither assent, nor agree to indemnify, out of property committed to their charge to be husbanded and protected by them according to law. Those who are *subjects of legal guardianship* cannot assent for themselves. Nor can one *heir* be expected to take upon himself the share of responsibility which belongs to *another*. And there never has been a period, during the long and turbulent reign of William Vans, when the property of some one or more of these heirs has not been in the custody of legal guardianship.

But passing by all these considerations, let me ask again why the heirs should consent? Can any man give a good reason? Well satisfied that the claim upon them is unjust, dishonest, and piratical, why should they be required to *consent* to the abandonment of any *certain legal defence* which they may have? Those whose clamour loudest for it must at least suppose that there is some *chance* behind the statute;—otherwise Mr. Vans and his adherents have no cause of outcry. Why not let Mr Vans have his *chance?* And if there is a chance, however remote and improbable, why should not the heirs agree to take it? Again I demand a reason. Why should they? Because Mr. Vans asks it?—Does he merit an especial accommodation at their hands?—Look at his atrocious libels for an answer.—For the sake of *purchasing peace then?* That surely is their own affair, of which they are to judge; and they know by experience that *peace* is not to be *bought* from William Vans, because he breaks bargains with less scruple than other men make them.—From a sense of *justice* perhaps?—Let those judge of that who are *acquainted with the facts*. They have been often examined by impartial men, and uniformly pronounced upon.—Should it be done then to *gratify* and *tranquilize* the public mind? Why what have the public to do with it? It is a mere question of private right to property. In other cases these rights are settled according to the standing laws, and no man raises his voice against it. Every other Executor in the State pleads the Statutes of Limitation, and the public complain not. But when the Executor of John Codman so pleads against William Vans, the Commonwealth is up in arms, and the Legislature is assailed with petitions from all quarters that the Executor of this particular estate (an estate *finally settled* according to the usual forms of law, *a quarter of a century ago*,) may now be *prohibited*, by a special law, from pleading that which all other Executors plead blamelessly *after four years*, and that a *few individuals*, who happen to be the heirs of this property, may by *an act of legislation applicable to no other persons be deprived of a legal defence*, which they enjoy in common *with all other citizens*, and which all other citizens *avail themselves of* freely and without offence.

Now, why is this?—It is because William Vans has devoted a life long enough to have accomplished some honest and valuable purpose, with wonderful ingenuity, and incredible perseverance, to the sole object of bringing about the present state of public sentiment in relation to this particular cause. Instead of pursuing any ordinary means of honest livelihood, he has contrived to live upon public sympathy and public credulity, through the medium of his supposed wrongs and fictitious claims—exciting that sympathy and feeding that credulity with the slanderous productions of his own brain, and getting daily bread partly by private gratuities and partly by peddling out his pamphlets and *his Stock*. Yes—his STOCK! *He has absolutely made a Stock*, as he terms it, *out of the Codman estate!!* He has already *divided the plunder in anticipation*, SOLD IT OUT INTO SHARES, and issued CERTIFICATES under his own sign manual, promising for *one* dollar advanced to pay on recovery of his claim, *ten, twenty*, or *fifty* dollars, as it may be, according to the exigency of the call, and the facility of his customer. This claim is of very *indefinite* magnitude; and the stock of course *infinitely divisible*; so that he is enabled to scatter the tickets in his lottery, by small parcels, far and wide, through town and country, not only with his own hand, but even through brokers and agents regularly employed to sell and distribute them.

Having thus laid broad and deep foundations for his jury trial, he and the "friends to justice" lustily cry "*Go to a jury!* APPEAL TO THE STOCKHOLDERS!! *and see if* THEY *do not say the claim is a good one.*" Meanwhile the bystanders, who have only read his pamphlets, and swallowed his fabrications, but stand innocent of the Stock, wonder in their hearts, and with their tongues, why the heirs of John Codman cannot consent to so *fair* a proposition.

This mode of creating a public interest in his cause must seem to those who have never before heard of it, if any there be, almost incredible. It is but recently that any attempt has been made to establish the fact by evidence and trace the extent of the mischief;—but I have already in my possession a number of depositions to prove it. I now publish two of them, omitting merely the magistrates certificate and other formal parts. Mr. Vans was duly notified, and his counsel appeared. The first proves an *offer* of his Stock *to a member of the very Legislature which he is petitioning to grant him a jury trial*;—and the second proves an *actual sale* of his Stock to one of our fellow citizens, as likely as any other to be drawn *on the very jury which might try the question*—though less likely doubtless than many others to sit a willing judge in his own cause.

W. H. GARDINER,

Counsel for the heirs of John Codman.

March 18, 1835.

FRANCIS B. FAY'S DEPOSITION.

I FRANCIS B. FAY of Chelsea, in the County of Suffolk and Commonwealth of Massachusetts, merchant, formerly of Southboro', in the County of Worcester, in said Commonwealth, being conscientiously scrupulous of taking an oath, do solemnly affirm and say, in answer to interrogatories proposed to me as follows:

Interrogatories proposed by Wm. H. Gardiner, Esq. Counsel for Stephen Codman of said Boston, Executor of the last will and testament of John Codman deceased, and also Administrator on the Estate of Richard Codman.

FIRST INTERROGATORY.—Has or has not William Vans at any time heretofore offered to sell you an interest in a supposed claim of said Vans on the Estates of John Codman and Richard Codman deceased, or either of them? If yea, state particularly what passed between you.

ANSWER.—Wm. Vans has some two or three times, I can't distinctly recollect which, invited me to *take stock* in his claim against the Codmans, (I believe that is the term he uses.) His terms were *one dollar paid*, he would give an obligation for *twenty dollars to be paid* to the holder of the certificate upon the recovery of one hundred thousand dollars, or in proportion of any sum that might be recovered. As to any particular conversation that passed between us, I cannot state any thing except that he was urgent to have me take some of the stock, to help a poor fellow along, as he said, till he could get something.

SECOND INTERROGATORY.—Do you know or have you heard of any person or persons to whom said Vans has sold or proposed to sell an interest in said supposed claim?

ANSWER.—I have seen a certificate purporting to be signed by said Vans, and I have been told by Mr Artemas Ward of this city, recently of the firm of Ward & Wildes, in North Market-street, that he, or his partner, I can't distinctly say which, had some of the stock. The certificate purports to be Mr Ward's alone, I think. Said Vans has also offered to sell his stock to my partner, Lyman Farwell of this city. I do not personally know of his having offered stock to any other persons. I have heard of his selling or offering his stock to my neighbors Thayer & Bates, I am not certain whether it was a sale or an offer to them. I have heard there are certain individuals in this city from whom he receives a regular salary, from some ninepence a piece per week, and from some more; I have understood that Dana, Evans & Dana pay him half a dollar a week the year round; I think that is the sum, it may be a dollar. I have understood Thayer & Bates also pay him a certain sum, my impression is, that it is a quarter of a dollar weekly; I have understood there is quite a number, I don't recollect their names—who make regular payments.

(The witness here states that he may be mistaken in the amount of the sum named by said Vans in his proposal, upon recovering of which he offers to pay twenty dollars; he thinks it was five hundred thousand dollars instead of one hundred thousand dollars; he was at first under the impression that the amount was five hundred thousand francs, which is one hundred thousand dollars, but he now thinks that the amount was five hundred thousand dollars.)

THIRD INTERROGATORY.—Are you or not a member of the Legislature of this Commonwealth.

ANSWER.—I am at present a member of the House of Representatives of this Commonwealth, from the town of Chelsea.

(Signed) FRANCIS B. FAY.

ARTEMAS WARD'S DEPOSITION.

I, ARTEMAS WARD, of Boston, in the county of Suffolk and Commonwealth of Massachusetts, merchant, do on oath depose and say, in answer to interrogatories proposed to me as follows viz;

Interrogatories proposed by William H. Gardiner, Esq. Counsel for Stephen Codman, Executor of the last will and testament of John Codman, late of said Boston, merchant, deceased, and Administrator on the Estate of Richard Codman.

FIRST INTERROGATORY.—Have you or not at any time heretofore entered into any contract or made any bargain with William Vans, or taken any agreement from him relative to an interest in a supposed claim of said Vans, on the estates of John Codman and Richard Codman, deceased, or either of them? If yea, state particularly what the Contract, bargain or agreement was, and produce any writing in your possession relative thereto.

ANSWER.—I once paid said Vans one dollar, for which he gave me a receipt or note, promising to pay me twenty dollars upon his recovery of five hundred thousand dollars from the executor and heirs of John and Richard Codman. The following is a true copy of said paper—

"RECEIVED OF ARTEMAS WARD ONE DOL-
"LAR, TO PAY HIM TWENTY DOLLARS, WHEN
"I RECOVER AND RECEIVE OF THE EXECU-
"TORS AND HEIRS OF JOHN AND RICHARD
"CODMAN FIVE HUNDRED THOUSAND DOL-
"LARS, AND IN THAT PROPORTION ON WHAT
"I DO RECOVER AND RECEIVE.

"Boston, 8, Aug. 1831. WILLIAM VANS."

The said receipt or certificate was written by said Vans at the time when it bears date, and was then subscribed by him. The paper now produced and exhibited by me, from which the foregoing is copied, is the original document subscribed by said Vans.

SECOND INTERROGATORY.—Do you know or have you heard, of any other person or persons with whom said Vans has made or offered to make agreements of a similar character? If yea, name them particularly.

ANSWER.—I have frequently heard said Vans offer to sell his stock—his usual price was one dollar for ten dollars of stock, but I don't recollect any instance of his making a bargain. My impression is that my former partner, Mr William Wilde, had a certificate similar to the one which I hold. I can't recollect distinctly any person to whom I have heard Vans offer stock. I have heard him offer it to several as they have been dropping into our store, but I can't now tell who they were.

(Signed) ARTEMAS WARD.

MISCELLANY.

WALK HER OUT.

Why don't he walk me out, mamma,
  Why don't he walk me out?
It's strange he should defer so long
  To bring the thing about;
I'm sure its not my fault mamma—
  Of that no soul can doubt;
For what I've so long aimed at is
  To make him walk me out.

Indeed I've done my best, mamma,
  And always have I shown
Most tender and most kind to him
  When we've been most alone.
At times I've talked of rural walks,
  And views conversed about—
And sometimes gone almost as far
  As—'pray do walk me out.'

To this he says he's 'fond of walks,'
  And walks—about the room;
'Of views'—he takes my albums up—
  'Delights in looking through 'em!'
That he's in love, and will propose,
  I have no kind of doubt;
But, la, I wouldn't give a fig,
  Unless he'd walk me out.

I long to breath 'a little air,'
  And through 'the fields to roam;'
At this he'll reach down my guitar,
  And play me 'Home, sweet Home;'
As yet he's only seen my smiles,
  But now I'll sulk and pout,
And practice other artful wiles
  To make him walk me out.

I'll meet him as the serpent met
  Poor Mrs Eve one day;
Where'er he goes, I'll plant myself
  Directly in his way;
Some girls, I know, prefer a ball,
  A concert, or a rout;
There's nothing better, after all,
  Than making men walk out.

If we are serpents, men are eels,
  And difficult to hold;
Love's hist'ry but too oft reveals
  How oft young maids are sold;
My net is true, success is sure,
  He may flounder like a trout:
He's safe enough, his fate is sealed,
  When once he's walked me out.

There's Sarah Spry has looked of late
  As vain as mortal can;
Priscilla Prim, (the girl I hate,)
  Goes by with her young man;
And Susan Fig, the grocer's niece,
  A gawky, awkward lout—
They all (except poor I) possess
  The joys of walking out.

They say love has no greater charm
  Than what this pastime yields;
It seems the sovereign'st patent for
  All pangs the lover feels:
They say its mystic powers are such
  As leave no room for doubt,
That you are his, and he is yours,
  When once he's walked you out.

But mine, I fear's a hopeless case,
  Scarce talked about at all;
The neighbors hardly know his face,
  Or if he's short or tall;
I'm quite distressed, and can't think what
  The man can be about;
I'll turn him off, I vow I will,
  Unless he walks me out.

ESCAPE OF A SLAVER.

The following is an extract from Capt. Chamier's New Novel. The hero of the tale, or rather the autobiographer, was a pressed man on board a slave ship which was pursued by a British Frigate.

Captain Smith was one of the most fearless, heartless men the world ever saw. He was desperately brave, and always foremost in any danger or difficulty; his crew knew him well, and, like all seamen, they overlooked his bad qualities in remembering his courage. He was by no means an idle man; he was always employed about something useful: he did not trust the mate with the navigation; he was his own captain' master, and boatswain, and never sent a man where he feared to go himself: but now, all the devil of his composition came to light. The stranger gained upon us. She was not more than two gun-shots distant; the breeze seemed to favour her in strength, in short, four hours more would have seen the Rapid a prize had not something been done—that something was now about to be tried. The mate and captain were in earnest conversation aloft; the lightning of the latter's eye seemed to dazzle the mate into subjection; but still there was a reluctance about the countenance of the mate which would not entirely yield. I heard him say. 'But if we are taken, after doing it, what will become of us all? We shall be hung, sir, we shall be hung.' I certainly could not help saying to myself, 'Please God and a strong rope.'

'It is a chance, and the only chance,' said the captain, 'and no one will care a pin about the business if we get away.'

'Oh yes,' said the mate, 'if we could only get away. Why, to be sure, I should not be so slack in stays myself, but that confounded vessel sails well, and we are evidently loosing ground fast.'

'Well,' said Smith, 'let the worst be the worst, that is, our capture and the fore-yard arm. I will be responsible since you fear; and seeing, as I do, that the taking of the Rapid is at once the downfall of myself and family, I am resolved to have one chance more of escape. If we can go on until night, the frequent squalls may allow us to try another manœuvre, which may prove more fortunate than the one last; and if the bait does not tempt sufficiently, why we are only saving one or two human beings from a life of misery.'

'Well,' said the mate, 'I'm agreed.—forward there,' said he.

'Sir,' answered a rough looking fellow.

'Jump down,' said the captain, 'and hoist up one or two empty casks, and send the cooper aft with his tools.'

'Ay, ay, sir,' responded the man with all the indifference of a sailor.

The cooper soon made his appearance; in five minutes the empty casks were on deck, the heads of both were taken out, and the cooper set to work to cut out a circle large enough for a man's neck. The mate, who was a handy fellow of all work, began at one cask, and the captain stood by, urging the workmen to use every despatch. The breeze had freshened, and we held our own pretty well with the stranger; at any rate I was fearful that she did not gain upon us very rapidly. In the mean time, both cooper and assistant worked away with the greatest indifference, and no human eye could have detected the slightest variation of countenance in the mate, although he was fully aware of the desperate act about to be committed. When the casks were ready, the upper hoops were taken off, so as to allow the cooper to place the heads in when required. A pig of iron ballast was fastened in each cask, and then it was that the mate said in his firm voice:—

'Now, sir, we are ready. If you are still determined; d—n me if you shall ever say that John Collins was afraid when death was at hand.'

The captain's son had been all along watching the movements of the cooper, but was quite in ignorance of the intention of his father. Once, indeed, he asked what was the hole cut in the head of the cask for; but he was told to be silent, in a tone of voice which set me shaking like a monkey in frosty weather.

'Bring one of the slaves upon deck,' said the captain; 'and, do you hear? pick out a lively and a slim one.'

The slave was brought unshackled upon deck: he looked round him with surprise, and yet with indifference; his eye was sunken from care and from sickness, and his poor emaciated form had qualified him to come forward in the capacity alluded to.

'He's the liveliest we can find, sir,' said one of the seamen; for he was the only one who was talking, and I fancy he is as slim as any of the rest; but for that matter we shall have no trouble to find another.'

By this time, about ten of the crew had assembled about the mainmast, curious to see what was to be done. The slave was told by signs to get into the cask, which he endeavored to do; but he was so long in the limbs that he could not sit down in the bottom as he was desired. To effect this a little manual labor was applied by the bystanders, but ineffectually; for the slave was so stiff from the exertion of walking, and from the hardness of his resting-place, that the attempt was abandoned.

'Oh,' said young Smith, 'if you want a person to get in the cask, try young Ganjam. He is small enough and supple enough, or else I have worn my colt out to no purpose.'

The mate looked at the captain. The eye spoke volumes; and little did I know at that moment that my life was hanging on the thin thread of Captain Smith's conscience.

In the mean time young Smith seized me by the collar of the shirt, and had placed me by the side of the cask. The mate looked at me, as if measuring my height, and then at the captain, signifying by his glance that I should do very well; and said he,

'White might be more sure than black. Here, youngster, jump in here, and let us see how tall you are.'

Not knowing and not imagining the intention, I got into the cask, and by means of much exertion I sat down exactly as was required, my neck coming in a line with the mark for the head of the cask.

Even the sailors, who up to that moment had no idea of the captain's intentions, grinned, and said that I was made for the cask, and sat in it as snug as any lady who ever was hoisted in. That remark saved my life.

Captain Smith, who seemed absorbed in thought, and who looked like a man screwing up his courage to desperation, suddenly broke his long silence, and merely said,

'No, no! not him.'

'Oh then,' said his son, 'try my black wife.'

'Ah!' ejaculated the captain.

'That would do just as well,' said the mate; 'so bring her aft, here; you're not the first in the world who would like to get so sure a divorce.'

Away went the incarnate devil, and in two minutes he was seen lugging along his miserable victim by the hair of the head: one or two more of that sex came on deck, but were instantly sent below again.

'Here, you Ganjam, jump in the cask, and show this young lady how she is to sit, for none but the devil can talk the negro language.'

I did as I was desired, and then got out again. The girl was then told to do as I had done; but she hesitated, as if warned by some unseen power of the danger which awaited her. As she could not succeed the first time, I was desired to place her properly, which I did. The cooper was told to fix her head in, fitting the part about her neck.

'Come, down with you,' said the mate; 'now, cooper, fix on her necklace, and take care it does not fit too tight, for she is going into strange company.'

The remorse of conscience which had at first exhibited itself in this worthy associate of the captain's had entirely vanished: like many others who, having made one false step, from that instant fly to the other extreme. Thus we not unfrequently see women whose virtues have been sacrificed, suddenly assume the open countenance of vice, and from being modest and reserved, become shameless and impudent.

The last stroke of the mallet had driven home the upper hoop of the cask; the poor girl, who imagined, perhaps, that some kind of amusement was to follow, kept laughing and smiling, and vainly endeavored to make us understand her delight, as she poured forth a volume of words. The captain had walked aft and called the mate: the stranger had evidently gained so much that in two hours she would have had us under her guns; and, after remarking this aloud, the former said, 'Well, it is our only alternative; but, used as I am to scenes of horror, I cannot bear to see a person smile when such a chance awaits them.'

'The stranger,' said the master. "is right astern, and it is impossible for them not to see the cask; now let us see if *their* Christian charity can overcome their love of prize-money. If you intend to do it, we have no time to loose.'

'Do it!' said the captain.

The mate walked to the gangway, and put the cask close to the side. It was now that the poor imprisoned wretch imagined her destiny; she gave a shriek so loud and piercing that every slave below startled at the sound, and, ere she could continue her loud cry for mercy, the mate and one of the seamen had lifted the cask clear of the side, and vibrating it once and twice, the third time they relinquished their grasp, and the poor creature who had been sold to enrich others, now found herself the victim for their security.

The cask; when it fell into the water, twirled round and round with fearful rapidity, but, owing to the ballast, it always kept up, leaving the girl's head plainly visible. Her eye, whenever the twirl of the cask allowed it to rest on the ship, had more of imploring mercy than the words of the most frightened convicts; she screamed for pity—alas! pity was not known to those who had purchased her life—flight, safety was the only thought which occupied her half-murderer's mind. The freshness of the breeze, the noise occasioned by the rapidity of the vessel's way, soon predominated, and the shriek of the negro girl was lost in the distance. The eyes of the crew now rested on the cask; the captain kept his glass steadily fixed on what the mate called the water-nymph, and a quarter of an hour would decide the fate of the girl, the Rapid, and the captain. Then was conjecture at its utmost. The cask, being small, appeared at a greater distance than the stranger, and as, from the slight variation in steering and the send of the sea, the cask was to leeward of the vessel, it was imagined that either the negress had passed unseen, or was left to inevitable death, the spirit of gain having predominated over the spirit of charity. But it was only the fears of the villains which could have harbored such an idea; for sailors are generally the most humane beings alive, and when a woman is concerned, they would risk more than almost any of the biped race.

While the mate was cursing the unsuccessful scheme and the captain was meditating some further rascality, the royals, courses, and flying-jib of the stranger were suddenly seen shaking, and then instantaneously reduced; the ship was brought to the wind and hove-to, and the lee-quarter boat was lowered. Then it was, for the first, that we made out our pursuer to be an English sloop of war, for she hoisted her colors, perhaps to inspire courage in the negress, or to make her understand that she was discovered.

'There's shorten sail and heave-to,' said the mate, jumping at the same time in ecstacies; 'we are safe now: let's send adrift another directly; it will take her ten minutes at least before blacky and the boat are hoisted up, and in this way we can continue to regain our lost ground until dark.'

'Hand up a live log for a swim,' said another of the crew; they all saw their safety secured by the plan; another victim, a small man, was consigned to the waves. Two more casks were brought up and got ready, and it was determined to continue launching one at a time until sunset. The manifest indifference of the negroes, and their little attempt at resistance, was quite wonderful; only in one case out of eight did the mate find any opposition, and that was but momentary. The black looked round for his companions who had been brought up before him, and it was supposed that in his search he saw the cask which was occupied by a victim floating astern; but, the instant he became violent, they seized him, lashed his hands behind him, and, by way of giving him consolation, threw two overboard together, one close by the side of the other.

The distance gained by this plan was immense; it was calculated that we had dropped the sloop about six miles, for she saw every cask and hove-to to pick it up, and then made all sail again; but, although she must have steered latterly close to the negro, and had her boat ready and her hands on deck, yet she never was fairly in pursuit again under ten minutes or a quarter of an hour.

The night was now fast approaching, already the stranger was scarcely visible, and every preparation was made to effect another manœuvre; the wind came in squalls of rain, which generally lasted about twenty minutes, and was followed by a lull, or a partial cessation of wind. No sooner had we lost sight entirely of the sloop, than the studding-sail booms were rigged out, the studding-sails hoisted on the yards, and when the next squall of wind and rain came, we bore right up before it, set every inch of canvass we could carry, extinguished all lights, and made the vessel as light as possible by again throwing over some ballast.

Extraordinary discovery of an Ancient Printing Press in India! When Warren Hastings was Governor General in India, he observed that in the district of Benares, a little below the surface of the earth, is to be found a stratum of a kind of fibrous woody substance, of various thickness, in horizontal layers—Major Rebuck, informed of this, went out with a party of scientific friends, to a spot where an excavation had been made, displaying this singular phenomenon. In digging somewhat deeper for the purpose of further research, they laid open a vault which on examination proved to be of some size, and to their astonishment they found a kind of printing press; set up in a vault, and on it moveable types, placed as if ready for printing. Every inquiry was set on foot to ascertain the probable period at which such an instrument could have been placed there, for it was evidently not of modern origin, and from all the Major could collect, it appeared probable that the place had remained precisely as it was found for at least 1000 years. We believe the worthy Major, on his return home, presented one of our learned associates with a memoir containing many curious speculations on the subject. Paper we know to have been manufactured in the East many centuries before we had any knowledge of it; and we have many reasons to think that the Chinese have been acquainted with the mode of printing which they now employ, many centuries before Faust invented it in Europe. It certainly does no credit to the inventive genius of the Romans, to know that they approached so near as to engrave in a style not to be equalled in the present age, on gems and stones, and of course the taking of impressions from them, that they should still have remained ignorant of the art which has bestowed so many blessings on mankind.—*Portfolio.*

REFINED CIDER.

J. W. CARTER, Bromfield street, has on hand a large spring stock of prime Bottled Cider, which he offers for sale at wholesale or retail, also Bottled Porter, and Albany Ale; Meldrum's Ale, in quart and pint bottles; together with a variety of bottled Wines—all of which will be sold at low prices, and sent to any part of the city free of expense. tf march 14

BATHS.

BRAMAN'S WARM SALT WATER BATHS, bottom Chesnut street, are open every day from sunrise to 10 P. M. A female in attendance to wait on Ladies.

The Tremont fresh water Baths, Tremont House, open as usual. tf march 14

THIS DAY PUBLISHED,

BY MARSH, CAPEN & LYON—Horae Phrenologicae; being three Phrenological Essays:—I. on Morality; II. on the best means of obtaining happiness; III. on Veneration—by John Epps, M. D. author of the Internal Evidences of Christianity, deduced from Phrenology, with Notes by Rev. John Pierpont. m 14

PORTRAITS AND PICTURES
FRAMED.

PERSONS about getting their portraits framed, will do well to call at CABOT'S Looking Glass Store, 36, Union street, where they will find a splendid assortment of Frames done in the first rate manner in a great variety of patterns—likewise Prints, Paintings and Ladies' Needle Work, framed in as good a style and as cheap as can be found in this city. Having had a long experience, both in Boston and New York, in the above line of business, and having a large assortment of Moulds of my own selection, I feel confident that all work which my friends and the public may be pleased to entrust to me will be finished to their entire satisfaction.
march 14

LINEN SHIRT
COLLARS AND BOSOMS.

KIMBALL, 12, Washington street, having made an arrangement with one of the first manufacturers of the above article, will be constantly supplied with an assortment of every style and quality of Collars and Bosoms of superior make. Now on hand—

100 doz extra Fine Stitched Linen Collars,
100 do do do Plain do do
200 do Medium quality do do do
150 do do Stitched do do
300 do Common do Plain do do

Also—Plain, plaited, embroidered, and ruffle Bosoms from 3 to 24 dollars per dozen.

☞ Merchant Tailors will find it for their advantage to examine this assortment. march 14

REPORT

ON the State of Public Instruction in Prussia; addressed to the Count De Montalivet, Peer of France, Minister of Public Instruction and Ecclesiastical Affairs;—by Victor Cousin, Peer of France, Counsellor of State, Professor of Philosophy, Member of the Institute, and of the Royal Council of Public Instruction. With plans of School Houses. Translated by Sarah Austin. This day received and for sale by MARSH, CAPEN & LYON. march 14

AT RETAIL.

MERINOS—HOSE—GLOVES, &c. &c.

500 YDS 6-4 English Merinos at	75
200 do 3-4 do do	25
200 do 6 4 French do	1 25
300 prs col'd Worsted Hose,	25 to 50
200 do rib. do do	2s to 4s 6d
100 do Merino Embroidered do	3s to 6s
300 do Ladies' Kid Gloves,	25 to 75
500 yds Cambric Muslin,	25 to 50
1500 do col'd Gro de Nap.	50 to 75
1000 do blk and col'd do Swiss,	75
1000 do Dark Calicoes,	12c to 1s
500 lm. Lin. Cambric Hdkfs.	1s
500 yds blk Worsted Lace,	12 1-2

—ALSO—

500 gross Gilt and Lasting Buttons,
100 packs London Pins,
20 ps red and wht. Flannels.
10 boxes No. 4 and 6 col'd Lustring Ribbons.

CHARLES ADAMS,
march 14 115, Hanover street.

NEW
HAT ESTABLISHMENT.

69, Washington street, (Directly opposite the Post Office, Boston.)

PECK & WHEELER, Fashionable Hatters, announce to the public that they have [illegible] large assortment of HATS, and will be constantly supplied from New York with Hats of the latest style and best manufacture, and invite buyers of the article to call—assuring them that they will sell at wholesale or retail, at the lowest prices for cash or approved credit.

N. B.—All Hats sold at this establishment are warranted equal to the price. 3tis march 14

SAMUEL WALES & CO.

HAVE removed to No 49 KILBY STREET.
3ms feb 7

ADAMANTINE TEETH.

MR BEMIS, Dentist, (No 32 School street,) is able to exhibit to his Patients specimens of every variety of *mineral* or *incorruptible* Teeth; to explain the manner of adapting the several kinds to gold or platinum plates, and to the fangs of such teeth as may have become truncated or carious; and likewise to demonstrate the practicability of wearing any number of them, one or an entire set.

He is also able to manufacture a new kind of teeth, (the result of many years experimental research) to which he has given the distinctive epithet placed at the head of this notice. The natural appearance of these teeth, their beauty, and their strength, must recommend them; but it may be said, and with truth, that the teeth themselves are as durable as adamant and as incorruptible as the precious gems; and therefore, that the *fœtor oris*, or bad breath, (from the teeth in a state of decomposition,) may be overcome entirely by substituting the above *gems* or *precious teeth*, for those of decaying and corruptible substances.

Among the several kinds, alluded to above, will be found Teeth of all prices from five to fifty dollars each.

All Dental Operations attended to as usual, and at the *Old Prices for Cash*; but all professional services not settled for *instanter*, will be booked at 100 *per cent, above the cash prices*, from and after the 1st of January, 1835.—Book accounts take up much valuable time, and are in other respects extremely inconvenient to the subscriber.
dec 27 3m S. A. BEMIS.

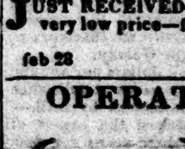
JAY'S FAMILY PRAYERS,

WITH an Appendix, containing a number of select and original prayers for particular occasions. A new edition 12 mo, just published and for sale by MARSH, CAPEN & LYON. march 14

FIG'D SILKS.

JUST RECEIVED—One case figured Silks, at very low price—for sale by
E. F. NEWHALL,
feb 28 No. 179, Washington-street.

OPERATIONS ON THE TEETH.



DR E. T. PRESCOTT respectfully informs his friends and the public generally, that he is prepared to attend to all branches of DENTAL SURGERY, at his place, corner of Hanover and Portland streets, Boston—viz—Carious Teeth cleansed, filled and rendered equally useful as before decayed.

INCORRUPTIBLE, or PORCELAIN TEETH, in addition to all other artificial Teeth now in use, will be inserted from one to a full set, in the neatest manner and at the shortest notice.

Particular attention paid to the regulation of children's teeth.

N. B. Dr P. also informs the public that he has availed himself of the services of an experienced operator from the city of New York, who will be constantly present.
feb 28 3m

CHOICE LINENS.

BENJAMIN JACOBS, Jr. No. 44 Washington street, has received a few cases 4-4 IRISH LINENS, of superior fabric; they are particularly recommended for weight of stock and evenness of thread, and entirely unbleached.

Also, 1 case extra fine, for collars and bosoms of shirts, from 6s 9d to 11s 3d per yard; a much finer article than is usually imported.

Purchasers who are in want of superior Linens, are invited to examine the assortment. isktosfm feb 28

FRANCISCO B. CASAS,

INSTRUCTER OF THE
SPANISH LANGUAGE,
AND OF
DRAWING.

feb7 Joy's Building, Room, No. 24.

RICH DRESS STOCKS.

FASHIONABLE styles of bow and plain plaited bow, plain and handkerchief Satin and Mohair STOCKS, made in the best manner, for sale by the doz en or single at KIMBALL'S, 12 Washington street.
aug 30

WILLIAM VANS'S FABRICATED
CERTIFICATES.

A CARD from David L. Child, Esq. in a late number of the Transcript, invites the public to suspend their opinion of the *matter in dispute* between Mr Vans and the subscriber, until Mr Child shall have prepared a statement on the subject.

Perhaps the public will find it difficult to conjecture what the *matter in dispute* now is. For myself, I am not aware that there is *any thing* in dispute between us.

In my last I *proved by legal testimony* from the best witness in the world, a fact which I had before stated on the authority of a letter, viz. that William Vans had FABRICATED and *published* UNDER THE NAME *of Augustus Peabody, a paper which Mr Peabody* HAD NEVER SIGNED, *falsely purporting to certify a fact which said Peabody had* NEVER CERTIFIED, and which, as I now add, upon the assurance of that gentleman, he was *requested* and *positively* REFUSED *to certify*; namely, the material fact of a judgment condemning JOHN as well as *Richard* Codman to pay said Vans' demand.

This fact so *proved*, Mr Vans, as I understand it, also ADMITS; for he has himself published, *by way of answer to the charge*, what he calls 'the original documents *in the handwriting of these gentlemen*;' and Mr Peabody's certificate as *now* publishes it, corresponds entirely with the certificate which Mr Vans *formerly* published as Mr Peabody's certificate, by the *omission* of the very significant words '*condemning* JOHN *and Richard Codman to pay him*,' which words constituted *the whole material part of the fabrication.*

This therefore can no longer be matter of *dispute*.—For William Vans stands CONVICTED UPON HIS OWN SHOWING. And yet he has the extraordinary hardihood to ask the public to *judge* in the face of his own admission, whether he has not *truly* stated that Messrs Blake, Davis and Peabody have *all* certified that he has a judgment against JOHN and Richard Codman. Why?—*because*, as he says, *all their certificates refer to a* PREAMBLE.—Such is the pitiful *evasion* to which he now resorts; as if this supposed reference to a Preamble, even if it were true, justified the *falsification* of a certificate by material alteration of its terms. But this suggestion of reference to a Preamble is as false as the original fabrication.

Since my last communication I have been favored, in the presence of the Legislative Committee, with a *sight* of this precious document, and am therefore enabled to state that this *Preamble*, as Mr Vans terms it, instead of being in the hand writing of *either* of the gentlemen named, is wholly IN HIS OWN HAND WRITING.

It is apparent upon the face of the document that this Preamble was a paper drawn up *by himself*, for these gentlemen or others to sign, and which they ALL *refused* to sign, as Mr Peabody expressly states *he* did. It has not a single signature to it! No respectable man could be found to adopt it. Yet now Mr Vans would have the public believe that three gentlemen of the law have made it their own by *reference*, although Mr Peabody's certificate totally excludes, by its own express language, all reference to any Preamble whatsoever, as every one who reads may see;—for he certifies that he had seen *certain notes* of RICHARD CODMAN, (describing them,) and a judgment ON THOSE NOTES;—and *both* the other gentlemen certify to the *authenticity only*, and not at all to the *contents* or *effect* of the documents named in the *Preamble*. If they had intended to certify the *facts stated in the Preamble*, (which ends 'in witness whereof we have signed this instrument,' &c) they would of course simply have *subscribed their names to it*, as they were requested to do; instead of which they choose to make their own certificates, which are in effect that the documents '*alluded to*' by Mr Vans, (of the *contents* of which they say nothing) are '*original* documents'; and farther they say not.

In *proof* that Messrs Davis and Blake themselves so understood it, I refer not only to the language they have used, (supposing Mr Vans *at last* to have truly represented it,) but also to original letters in my possession, from both of those gentlemen, written soon after the giving of their certificates, which letters I now publish, as follows.

MR DAVIS'S LETTER.

TO STEPHEN CODMAN, Esq.
Boston, Feb. 26, 1828.

My Dear Sir:

All that I *meant* to say, and all that I *did* say, respecting Mr Vans's documents was, that I had *seen* them and believed them to be *original*; but as to their NATURE, IMPORT, OR VALIDITY, *I knew nothing respecting them.*—Of the *French* document, I of course knew *nothing*, and my certificate is to that effect; and as to the document signed by Mr Richard Codman, I carefully avoided saying any thing more than that I *had seen it*. My certificate contains nothing of its having been used in evidence.

Yours, with respect and friendship,
(Signed) DAN'L DAVIS.

MR BLAKE'S LETTER.

TO STEPHEN CODMAN, Esq.
Boston, Feb 26, 1828.

I have the pleasure to acknowledge the receipt of your communication of the 23d instant.

In answer to your inquiry respecting the certificate which I gave Mr Vans, I beg leave to say, that the papers which were *shown to me by that gentleman*, and to which my certificate was *intended to be applied*, purported to be *the exemplification of the Record of certain judicial proceedings in France, in which Mr. Vans and Richard and John Codman appeared, as I think, to have been* THE PARTIES LITIGANT. I however examined but very hastily and cursorily the contents of the papers in question, inasmuch as I was *only requested*, and it was *my intention only* to express an opinion *as to their* GENUINENESS, *and* NOTHING MORE.

I am, Sir, very respectfully,
Your obedient servant,
(Signed) GEO. BLAKE.

This Record which Mr. Blake speaks of, instead of being a judgment *against* JOHN CODMAN *to pay Mr Vans's demand*, is the record of certain judicial proceedings in which Mr. Vans and Mr. John Codman were EACH *claiming* RICHARD CODMAN'S PROPERTY as CREDITORS OF RICHARD CODMAN! This is the document which Mr. Vans has falsely represented in numerous publications, for nearly five and twenty years, to be a judgment *against* JOHN CODMAN and Richard Codman FOR A JOINT DEBT!!

He has not only so *stated* in print, but he has repeatedly published not merely *fraudulent alterations*, but PURE FABRICATIONS and SHEER INVENTIONS OF THE VERY WORDS OF SUCH A RECORD, as will be shown more at large on some future occasion. The last Committee of the Legislature who examined the evidence of Mr. Vans's claim, distinctly report on this subject "that the Petitioner has *no judgment whatever against John and Richard Codman* as he has set forth in his petition." His own counsel admits it. For Mr. Child has reviewed that Report, in a pamphlet of 100 pages; the substance of which is condensed into the pending Petition of Wm. Vans, recently published in the newspapers under a certain *Order of Notice*. He there specifies no less than *thirty three* supposed errors of omission or commission in the Committee's Report—some of them so minute as the error of a single day in the translation of a French date—others even more frivolous and trifling than that, yet he does not presume to question the accuracy and truth of *that* part of their report, which is above set forth.

Thus it is apparent not only that Mr. Vans *has no such judgment* and that neither Mr. Blake, Mr. Davis, nor Mr. Peabody ever *intended* to certify, or ever *in fact certified* that he *had*, but that when he endeavors to *pervert* what they have certified, so to make it the certificate of a *falsehood*, and above all when he publishes *fabricated statements under their names*, of what they absolutely *refused* to certify, he commits a FRAUD upon the respectable gentlemen whose names he has thus abused; a FRAUD *upon the community*, who have been misled by the authority of those names, coupled with innumerable falsehoods and fabrications of William Vans; and a FRAUD *upon the Heirs of John Codman*, whose property and reputation he has assailed by these vile means, applied to inflame public opinion upon a question of private rights, and to *bear down right* by the power of THE PEOPLE whom he has deceived into the honest belief that he is a wronged and injured man.

W. H. GARDINER.
Counsel for the Heirs of John Codman.
Feb. 27, 1835. march 7

WM. VANS' FABRICATED
CERTIFICATES.

SIMULTANEOUSLY with my last article on this subject, appeared one in the Gazette, intended, I presume, for a defence under the signature of David L. Child, Esq. To the complaint of personal injustice done to Mr. Child by me, I can only say, that were I sensible of any justice in the complaint, I should not merely regret the circumstance extremely, but should at once tender the most ample and public apologies. I simply *stated the facts*, as they appear in the published deposition and the magistrate's certificate, which facts Mr Child does not deny, and which seemed to me in no way to implicate him. But the inference, he thinks, "is that the old gentleman's counsel has abandoned him, and given up the cause." This is Mr. Child's inference, not mine. I am not aware that any person *but* Mr. Child, has so inferred; though I have heard that some think it high time for him to abandon a cause bottomed on his client's misrepresentation, and built upon his client's falsehood, fabrication and fraud. Of this he must judge.—Sure I am that no man will charge Mr. Child with want of fidelity to his clients, nor with abandoning any cause prematurely.

With respect to his client's FABRICATED CERTIFICATES, Mr. Child leaves the case *precisely where he found it*; nor is it in the power of mortal man to extricate William Vans from the necessary consequences of his own misdeeds. Of these I have as yet furnished only a specimen.

Perhaps Mr Child would have spared his suggestions respecting the *supposed* reference by Messrs. Blake and Davis to the *matter* of Mr. Vans' *preamble*, had he first seen the letters of these gentlemen, published on the same day with his own communication. Perhaps he would not have made the argument he has, (as good as the case would bear,) respecting the *error* which he supposes Mr. Peabody to have committed *in writing any thing, however guarded, on the opposite page even*, (which was the fact) *on the same sheet* which bears the marks of William Vans, if he had first known that I was prepared to state upon Mr. Peabody's assurance, that he had *peremptorily refused* to sanction the statement contained in Mr. Vans' handwriting. This point I desire to place beyond all controversy;—for I wish the public to perceive that when I make statements it is not without evidence before me. I therefore now publish a letter in my possession from Mr. Peabody, written shortly after the letters from Messrs. Blake and Davis, and very near the time when his and their certificates were made.

MR. PEABODY'S LETTER.
Boston, March 3, 1828.

Stephen Codman, Esq.

Sir—On the 25th of February I received your note on the subject of the conversation we had when we accidently met in the morning of that day.

I have taken some pains to ascertain what I once knew concerning the documents of Mr. Vans alluded to. I remember that many years since, I believe from 13 to 15 years ago, I went several times with Mr. Vans before a legislative committee, where, on one occasion at least, I met you. Mr. Vans produced two notes of RICHARD CODMAN, and a JUDGMENT. The papers were examined by myself, and the legislative committee;—and no doubt was left on my mind, and I believe that no doubt remained on the minds of the committee, or the persons present who were opposed to Mr. Vans, that the said papers were *what they purported to be*.

Mr. Vans *recently* called on me with a request to sign a certificate—the same I presume a copy whereof is in your note to me.—*I told him I would* NOT SIGN IT, BECAUSE *I did not know that all the allegations in it were* TRUE. *He then requested me to certify* SUCH OR THE FACTS *as I* DID *know to be true*; and in compliance with his request I wrote and signed a certificate that I had no doubt but the papers *alluded to were* GENUINE. And I cheerfully state that I not only *intended to confine my certificate to the facts stated* IN MY OWN HAND-WRITING *which immediately preceded my signature, but that* I TOLD MR. VANS *that I could* NOT *sign the certificate he presented* BECAUSE IT STATED WHAT I DID NOT KNOW TO BE TRUE.

I am respectfully,
Your obedient servant,
AUGUSTUS PEABODY.

Now let me meet Mr. Child on his own ground, and admit, for argument's sake, that it was a great error and grievous oversight on the part of Mr. Peabody and the other gentlemen to have touched any thing, *unprofessionally*, that had been contaminated by William Vans, or to have trusted in any way the use of their names to his fraudulent keeping. But says Mr. Child "if Mr. Peabody did not *mean* to connect himself with the *preceding statements*, it was certainly *his own error*; for which the OLD GENTLEMAN [for so his own counsel calls William Vans] *is in no way responsible* UNLESS *he has wilfully and corruptly misrepresented.*" I put it to the public then and to Mr. Child himself, whether under the circumstances now disclosed, if Mr. Peabody's statement be true, (and none but William Vans will question it,) I put it to them and him, whether man can conceive of any more WILFUL and CORRUPT misrepresentation than this.—Mr. Vans goes a supplicant for a favor to gentlemen disposed to befriend him—his *former counsel*—gentlemen, all of whom he had deceived at some time, as he has others at other times, by misrepresentation of the *facts* of his case—and solicits their names to a paper which he presents.—All refuse to sign *because the facts therein stated are* NOT TRUE. He then urges them to certify *such facts* to aid him *as they can consistently with truth*. At last they yield to this importunity. And then what does he? Why thereupon, this practised and veteran deceiver, whose ingratitude is as base as his dishonesty, puts forth a pamphlet *publicly exhibiting the names of these very friends as having certified to those very falsehoods which they had* POSITIVELY REFUSED TO CERTIFY, and he distributes this FABRICATION among the Representatives of the People whom he is petitioning for redress, AS EVIDENCE *of the truth and justice of his claim against the heirs of John Codman*, WHOSE PROPERTY *he is seeking to rob them of* THROUGH THIS MEANS!!!—Is this by MISTAKE?—Or is it WILFUL?—Is it *honest error*?—Or is it CORRUPTION?

Mr. Child's article in the Gazette, instead of *defending* his client, (who is utterly and hopelessly *indefensible*,) in fact only *republishes* the evidence of his client's fabrications and fraud, when he publishes a *true* copy of the document which his client has heretofore *falsified in every material point*. *Each one of the other certificates*, as well as that of Mr. Peabody, has been *materially altered*, as may be seen by any one who will take the pains to compare the present edition, by Mr. Child with the former edition by Mr. Vans republished in my advertisement of the 17th February. So *habituated* is this man to falsehood and fabrication for the wicked purpose of advancing his piratical claim against the estate of John Codman, that he could not even publish *his own false preamble*, the work of his own hand, *without improving it a little* by material alteration.

In a Pamphlet expressly addressed to the 'Representatives of the People," and industriously distributed among them, Mr. Vans says "I place before YOU, REPRESENTATIVES, the certificates of Augustus Peabody, George Blake, District Attorney, and Daniel Davis, Solicitor General, *who certify* AS FOLLOWS:—

WE THE UNDERSIGNED have seen obligations payable to order and judgments condemning *John and Richard Codman as copartners in Paris* to deliver William Vans 45,518 francs Rents per year, that amounted in 1830 to about 580,140 dollars. IN WITNESS WHEREOF WE HAVE SIGNED THIS INSTRUMENT this 4th of Feb. 1830."

And under this he publishes *false certificates* with FABRICATED SIGNATURES;—thus making all the above-named gentlemen BY THEIR SIGNATURES *expressly affirm the unqualified falsehoods* which he had printed above, with a *direct and pointed reference to the signatures below* in attestation of the truth of those falsehoods.

Now compare this publication by Wm. Vans with the *true* copy published by Mr. Child. The *date* differs by *two years!* The *amount* spoken of differs by *over $30,000!!* The *language* in many respects is widely dissimilar. But the *fraud*—THE GREAT FRAUD—*lies here*;—namely, that whereas in the *original*, as all may now see by Mr. Child's printed copy, Messrs. Blake and Davis did NOT affix their SIGNATURES, which was *the precise and only act* by which *according to the terms of the paper* its contents were to be *adopted*;—and whereas Mr. Peabody when he puts *his* signature *expressly guards it by special limitation* from all reference to what had gone before;—yet Mr. Vans, in his publication of this document *wilfully destroys that limitation by fraudulently* inserting into the body of Mr. Peabody's certificate words which Mr. Peabody *never wrote*, viz: the words "condemning John and Richard Codman," and *fraudulently affixes the printed signatures* of Messrs. Blake and Davis when *they had never written them*, and thus connects their falsified certificates with the words "*In witness whereof we have signed*," &c.—thereby converting their certificates, which as drawn were harmless and true, into pestilent vehicles of a *gross, material, fraudulent*, and now twice ADMITTED *falsehood*.

I say ADMITTED!—For Mr. Child himself, referring in his late advertisement, to the former admissions of his own pamphlet, *admits anew* that Mr. Vans possesses no *judgment against John and Richard Codman*. Mr. Child asks indeed why the heirs of John Codman do not *publish* a translation which is in their possession of what he calls the judgment! I answer it is *in the press!*—Will Mr. Child never learn by experience so far to temper his zeal as to argue upon the *evidence* and upon facts which *he knows to exist*? Here he gratuitously and *erroneously, without inquiry*, ASSUMES as a fact that the heirs of John Codman will *not* publish a document which is actually in the press, and then, having so *assumed*, tauntingly inquires whether their reason for not publishing it is "because the document, although different in *form*, differs not much in *effect* from Mr. Vans' representations, and would *confirm* rather than *refute his statements*." I answer that they *rely upon it* to refute those statements;—and that when published it will be found to differ as broadly from the misstatements which have been made of it as light from darkness—or as Vans from truth.

'It is singular,' says Mr Child, 'that the counsel for the Respondents should leave the *authentic* and *published* views of Mr Vans' *counsel*, to pick up and cut up so sternly Mr Vans' ancient writings.' *Ancient* writings!—*Ancient!*—Is that the word? Why the Pamphlet out of which I have been compelled to 'pick up' this garbage of fabrication and fraud, was published in 1832, and Mr Child's own pamphlet (of which I *wish* to speak with respect) was published in 1833. Such is the difference of *antiquity* between them!

And since the counsel for Mr Vans seems to intimate a challenge to the attack of '*his own opinions*, founded on an examination of the *original sources*,' as he says, and doubtless at the moment thought, let me caution him to pause before he takes another public step, and reflect what those sources really are—how much of his *opinions* on matters of *fact* have been founded upon, or more or less affected by the representations of a client already convicted before the public *irredeemably*, of falsehood and deceit;—how much upon *partial views of evidence*, whether genuine or *fabricated*, produced by and for one side only!

If it be *possible* that he *may* have formed an *erroneous* opinion upon the merits of a case not *truly* disclosed to him on the one side, nor as yet *fully* on the other, and the fact should so turn out, he must become sensible at last that the dissemination of such a work as *his Review*, carrying with it the weight of his own name and professional standing, instead of the name of William Vans, has inflicted unintentionally I hope, a grievous injury. And however ingenious may have been his arguments, however honest his opinions, as expressed in that pamphlet, I trust I may not be required by himself to hold up to the public through the daily prints, the manifold errors, fallacies, mis-statements and gratuities, which seem to me to exist there. I sincerely trust therefore, that he will not needlessly make *himself* a *party* farther than he has already done;—nor *compel* me to turn the attack upon him or his works. I wish to confine public attention to the *case* of *William Vans*;—not as has been intimated to his *character*—if he has a character let him enjoy it—I shall not say one word to disparage it otherwise than as matters affecting character have become indissolubly connected with his claim on the heirs of John Codman, and the *means* he uses to excite unjustly, public sympathy for himself, and public indignation against them.

It is suggested, however, that my communications may have been made rather with a view 'to create a diversion *from the true point of inquiry*.' Does not Mr Child know me better? Does he not know too, that I have been drawn into the newspapers unavoidably, and against my will? The full length publication of Mr Vans' statement and of Mr Child's argument, under color of an order of notice, compelled me to protest against the measure as unprecedented and injurious. The very first sentence of the Petition so published states that John Codman and Richard Codman were copartners in the transaction with William Vans. This falsehood is the *whole* foundation of Mr Vans' extravagant pretensions. This at least is the true *point of inquiry*, and this public assertion therefore demanded a public denial—which was made. There it might well have rested. But Mr Vans chose *voluntarily* to go into the newspapers, and there, by way of proving this fundamental point to *reiterate* his long repeated falsehood of *judgments against John and Richard Codman as partners in France*, bolstering up this falsehood with the farther falsehood that he possessed *certificates* from three distinguished members of the bar that they had seen such *judgments*. This compelled me to expose his *fabrications*. Still not content, Mr Vans persists in imposing anew upon the public, by endeavoring to connect the certificates of those gentlemen with the false matter of his own creation in what he terms a *preamble*. This obliged me to expose the *new imposition*;—and Mr Child, by a repetition of this argument, has now forced me to show that *he* has been unable, with all his talent, to furnish either answer, justification or *excuse*. Having been thus driven into the newspapers, and engaged reluctantly in a species of warfare which Mr Child says he has no distaste for, but which I freely confess is no more to my liking than it is of my seeking, I shall take care before I leave the newspapers, that William Vans has enough of it; and that if the public are 'diverted' it shall be at the expense of the losing party.—I know not whom the anonymous classic of the Legislature may mean to designate by Alcibiades, nor whom by his dog; but if by the latter he means William Vans, since Mr Vans *loves to appeal to the people*, and chooses to provoke the conflict *here*, whether at present he may be considered as curtailed or as decapitated, his friends, should any remain to him, will have no just cause of complaint, if at the end of the conflict there should not be a hair of him left. At least I propose that the *equitable merits* of his claim on the *estate of John Codman* shall no longer be a ground for *voluntary contributions* from those *public spirited* citizens, who enable him to carry on this war against private property, thinking they know more of the *law* and the *constitution* than all the Judges of the Supreme Judicial Court, and more of the *facts* of William Van's case than the Legislative committees who have spent weeks in investigating them, and have uniformly and unanimously reported that he had no just claim.

I have now done with Wm Vans' *fabricated certificates*. When he next hears from me it will be on some other point.

W. H. GARDINER,
Counsel for the Heirs of John Codman.
Boston, March 3, 1835. m 7.

ANNALS OF
PHRENOLOGY,

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Art. 5. Allusions to Phrenology in the 'Last Days of Pompeii,' (a paper read before the Boston Phrenological Society, Jan. 15, 1835—by H. T. Tuckerman.)

Art. 6 Phrenological Analysis of Eloquence. (Read to the Phrenological Society, by Mr Simpson.)

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march 7 5t AUGUSTUS GRANT.

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